

THE  
NORTHERN IRELAND LAW REPORTS.

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The Public General Statutes

PASSED BY THE PARLIAMENT OF

NORTHERN IRELAND, *Laws, Statutes*

IN THE NINETEENTH AND TWENTIETH YEARS

OF THE REIGN OF HIS MAJESTY

KING GEORGE THE FIFTH

1929.

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FOR

WILLIAM RICHARD CODLING, Esq., C.V.O., C.B.E.,  
THE OFFICER APPOINTED TO PRINT THE ACTS  
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AND

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# TABLE I

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## A TABLE OF

### THE TITLES OF THE PUBLIC GENERAL ACTS OF 1929-30.

being the Acts passed in the FIFTH SESSION of the  
SECOND and the FIRST SESSION of the THIRD  
PARLIAMENT OF NORTHERN IRELAND.

19 GEO. 5.—A.D. 1929.

20 GEO. 5.—A.D. 1929-30.

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19 GEO. 5.

ROYAL ASSENT, 27TH MARCH, 1929.

1. An Act to confirm and give effect to an agreement made between the Treasury of the United Kingdom and the Ministry of Finance for Northern Ireland for continuing the agreement set forth in the Unemployment Insurance (Agreement) Act (Northern Ireland), 1926. [*Unemployment Insurance (Agreement).*]

ROYAL ASSENT, 25TH MARCH, 1929.

2. An Act to apply certain Sums out of the Consolidated Fund of Northern Ireland to the service of the years ending on the thirty-first day of March, nineteen hundred and twenty-nine, and the thirty-first day of March, nineteen hundred and thirty, and to appropriate the Supplies granted in this Session of Parliament. (*Appropriation*).

ROYAL ASSENT, 27TH MARCH, 1929.

3. An Act to provide for the establishment of a Rating Relief Suspense Account, and to authorise the Ministry of Finance to guarantee the payment of certain agricultural loans, and for purposes connected therewith. (*Exchequer and Financial Provisions.*)

ROYAL ASSENT, 16TH APRIL, 1929.

4. An Act to amend section twenty-two of the Industrial and Provident Societies Act, 1893, in its application to Northern Ireland. [*Industrial and Provident Societies (Amendment).*]

## ROYAL ASSENT, 16TH APRIL, 1929—(contd.)

5. An Act to amend the law with respect to the method of voting at Elections of Members to serve in the Parliament of Northern Ireland, and to provide for the Redistribution of Seats at such Elections, and for other purposes connected therewith. [*House of Commons (Method of Voting and Redistribution of Seats).*]
6. An Act to amend the Midwives (Ireland) Act, 1918, and to provide for the registration and inspection of nursing homes, and for purposes connected therewith. (*Midwives and Nursing Homes.*)
7. An Act to amend sub-section (2) of section eighteen of the Unemployment Insurance Act (Northern Ireland), 1928, by extending to twenty-four months the period of twelve months therein mentioned. [*Unemployment Insurance (Transitional Provisions Amendment).*]
8. An Act to amend the Petroleum Acts, 1871 and 1879, and other enactments relating to petroleum, in their application to Northern Ireland. [*Petroleum (Amendment).*]

## 20 GEO. 5.

## ROYAL ASSENT, 11TH JULY, 1929.

1. An Act to amend the laws relating to bankruptcy and to debtors in Northern Ireland, and for purposes related to or incidental to the matters aforesaid. (*Bankruptcy Amendment.*)
2. An Act to amend the law relating to Stamp Duty in certain cases, and to make further provision in connection with Finance. (*Finance.*)
3. An Act to amend the Weeds and Agricultural Seeds (Ireland) Act, 1909, in its application to noxious weeds. (*Noxious Weeds.*)
4. An Act to amend the Loans Guarantee Acts (Northern Ireland), 1922 to 1928, by increasing the amount of loans which may be guaranteed under the said Acts and extending the period within which the Ministry of Finance may give guarantees thereunder. (*Loans Guarantee.*)
5. An Act to amend certain enactments relating to Government Loans. [*Government Loans (Amendment).*]
6. An Act to amend sub-section (2) of section five of the Local Government Act (Northern Ireland), 1922, and the Promissory Oaths Act (Northern Ireland), 1923, in their application to school teachers. [*School Teachers (Oath and Declaration).*]
7. An Act to apply a Sum out of the Consolidated Fund of Northern Ireland to the service of the year ending on the thirty-first day of March, nineteen hundred and thirty, and to appropriate the Supplies granted in this Session of Parliament. [*Appropriation Act (Session 2).*]



## ROYAL ASSENT, 11TH JULY, 1929—(contd.)

8. An Act to permit the issue by Friendly Societies and Industrial Assurance Companies in Northern Ireland of policies of assurance on the duration of certain lives for a specified period, to validate certain endowment policies issued by such societies and companies, to exclude repayments of premiums under endowment policies from the computation of the maximum sums which may be paid on death by such societies and companies, and to make provision as to the rights of owners of certain endowment policies upon the surrender thereof. (*Industrial Assurance and Friendly Societies*).
9. An Act to enable certain local authorities to regulate the carrying on of trading in streets within their areas, and for purposes connected therewith. [*Street Trading (Regulation)*.]
10. An Act to grant complete or partial relief from rates in the case of the hereditaments to which the Rating and Valuation (Apportionment) Act (Northern Ireland), 1928, applies; to extend the application of the said Act so as to enable the aforesaid relief to be granted to certain other hereditaments; to provide certain grants from the Exchequer of Northern Ireland in aid of the expenses of local authorities, and to discontinue certain other grants; and for purposes consequential on the matters aforesaid. [*Local Government (Rating and Finance)*.]

## ROYAL ASSENT, 19TH DECEMBER, 1929.

11. An Act to continue certain Expiring Laws as respects Northern Ireland. (*Expiring Laws Continuance*).
12. An Act to amend the Unemployment Insurance Acts (Northern Ireland), 1920 to 1929, with respect to the amount of the contribution to be paid under those Acts out of moneys provided by the Parliament of Northern Ireland. [*Unemployment Insurance (State Contribution)*.]
13. An Act to consolidate, as respects Northern Ireland, the enactments relating to petroleum and petroleum-spirit. [*Petroleum (Consolidation)*.]
14. An Act to provide for the maintenance of proper standards of quality in connection with the marketing of butter and cream in certain cases, for the licensing of persons engaged in such marketing, and for the registration of premises where butter or cream is produced or prepared for sale or consignment, and for other purposes connected therewith. (*Marketing of Dairy Produce*).
15. An Act to make provision for the adoption of infants. (*Adoption of Children*.)

## ROYAL ASSENT, 19TH DECEMBER, 1929—(contd.)

16. An Act to apply a Sum out of the Consolidated Fund of Northern Ireland to the service of the year ending on the thirty-first day of March, nineteen hundred and thirty, and to appropriate the further Supplies granted in this Session of Parliament. [*Appropriation (No. 2) Act (Session 2).*]
17. An Act to amend the Widows' Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1925, section three of the Old Age Pensions Act, 1908, section three of the Old Age Pensions Act, 1919, the enactments regulating the right to become a voluntary contributor under the National Health Insurance Acts (Northern Ireland), 1924 to 1928, and the mode of collecting contributions under those Acts, and section ninety-six of the National Health Insurance Act, 1924; and to provide for the exclusion of payments on account of widows' or orphans' pensions in the assessment of damages under the Fatal Accidents Acts, 1846 to 1908. (*Widows', Orphans' and Old Age Contributory Pensions.*)
18. An Act to prolong further the time for the operation of section one of the Housing Act (Northern Ireland), 1927, and to amend certain enactments relating to Housing; and for other purposes connected therewith. (*Housing.*)
19. An Act to establish a Criminal Lunatic Asylum in Northern Ireland and to provide for the transfer and reception of criminal lunatics, and for purposes connected therewith. (*Criminal Lunatics.*)
20. An Act to constitute the Ministry of Finance as a drainage authority for the purpose of the drainage of Lough Neagh and the River Bann, and to abolish certain drainage and navigation authorities; to empower the said Ministry to carry out and maintain works for the said purpose; to provide for the making of contributions and the maintenance of certain drainage works by county councils; to amend the Drainage Act (Northern Ireland), 1925; and for other purposes connected therewith. (*Drainage.*)

## ROYAL ASSENT, 14TH JANUARY, 1930.

21. An Act to amend the provisions of the Motor Vehicles (Traffic and Regulation) Act (Northern Ireland), 1926; to make further provision for the punishment of certain offences in connection with the driving of motor cars; to establish a Tribunal to fix fares and rates for certain public service vehicles; to empower the Ministry of Home Affairs to regulate general traffic on public highways; and for purposes connected therewith. (*Motor Vehicles and Road Traffic.*)

## ROYAL ASSENT, 24TH FEBRUARY 1930.

22. An Act to amend the Unemployment Insurance Acts (Northern Ireland), 1920 to 1929. [*Unemployment Insurance (Amendment).*]

NORTHERN IRELAND.

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THE  
PUBLIC GENERAL STATUTES  
OF 1929-30.

[19 GEO. 5]

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CHAPTER 1.

An Act to confirm and give effect to an agreement made between the Treasury of the United Kingdom and the Ministry of Finance for Northern Ireland for continuing the agreement set forth in the Unemployment Insurance (Agreement) Act (Northern Ireland), 1926.

A D. 1929.

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[27th March, 1929.]

**W**HEREAS provision was made by the Unemployment Insurance (Agreement) Act (Northern Ireland), 1926, for confirming and giving effect to an agreement (in this Act referred to as "the principal agreement") made between the Treasury of the United Kingdom and the Ministry of Finance for Northern Ireland with a view to assimilating the burdens on the Exchequer of the United Kingdom and on the Exchequer of Northern Ireland, per head of populations, in respect of unemployment insurance :

16&17 Geo. 5.  
c. 1.

And whereas the principal agreement under the provisions of article 9 thereof is to continue in force only until the thirty-first day of March, nineteen hundred and thirty, and no longer :

And whereas the said Treasury and Ministry of Finance, with a view to continuing the principal agreement after the date aforesaid, have entered into the agreement set forth in the Schedule to this Act (in this Act referred to as "the supplemental agreement") :

And whereas it is expedient that the supplemental agreement should be confirmed, and that provision should

A D. 1929.

be made for the payment of such sums as may be payable out of the Exchequer of Northern Ireland under the principal agreement as continued by the supplemental agreement, and for other matters arising in relation to the Northern Irish unemployment fund (in this Act referred to as "the unemployment fund") and the Exchequer of Northern Ireland by reason of the supplemental agreement :

Be it therefore enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

Confirmation  
of  
supplemental  
agreement.

Contribu-  
tions to the  
Exchequer  
of the  
United  
Kingdom.

1. The supplemental agreement is hereby confirmed and shall have effect as if enacted in this Act.

2. Any sums certified by the Joint Exchequer Board to be payable after the thirty-first day of March, nineteen hundred and thirty, under the principal agreement as continued by the supplemental agreement, from the Exchequer of Northern Ireland to the Exchequer of the United Kingdom shall be charged on and paid out of the Consolidated Fund of Northern Ireland or the growing produce thereof.

Payments  
from  
Exchequer of  
Northern  
Ireland to  
Northern  
Irish  
Unemploy-  
ment Fund.

3. Section three of the Unemployment Insurance (Agreement) Act (Northern Ireland), 1926, shall apply for the purposes of the principal agreement as continued by the supplemental agreement, and accordingly there shall be paid out of moneys provided by the Parliament of Northern Ireland to the unemployment fund, in respect of each financial year to which the principal agreement as continued by the supplemental agreement applies, such amount (if any) as may be certified by the Ministry of Finance under the said section.

Provisions  
as to  
unemploy-  
ment fund  
and Exche-  
quer  
borrowing  
and as to  
regulations.

4.—(1) Where, in pursuance of the supplemental agreement, any sum has been written off from the liabilities of the unemployment fund shown on the suspense account created by section four of the Unemployment Insurance (Agreement) Act (Northern Ireland), 1926—

(a) the said section shall have effect as if, for the amount of the excess debt mentioned therein,

there were substituted that amount less the sum written off as aforesaid ;

A.D. 1929.

- (b) all sums written off as aforesaid shall cease to be repayable by the unemployment fund to the Exchequer of Northern Ireland.

(2) Where, before the coming into force of the principal agreement, moneys were borrowed and placed to the credit of the Exchequer of Northern Ireland so as to enable any advance to be made from the said Exchequer to the unemployment fund, the principal of, and interest on, the moneys so borrowed shall continue to be charged upon, and repayable out of, the Consolidated Fund of Northern Ireland or the growing produce thereof, notwithstanding that the advance may have ceased by virtue of this section to be repayable by the unemployment fund to the said Exchequer.

(3) Section six of the Unemployment Insurance (*Agreement*) Act (*Northern Ireland*), 1926, shall apply for the purposes of the principal agreement as continued by the supplemental agreement.

5. This Act may be cited as the Unemployment Insurance (*Agreement*) Act (*Northern Ireland*), 1929.

Short title.

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### SCHEDULE.

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AGREEMENT MADE BETWEEN THE TREASURY AND THE MINISTRY OF FINANCE FOR NORTHERN IRELAND FOR CONTINUING THE AGREEMENT CONFIRMED BY THE UNEMPLOYMENT INSURANCE (NORTHERN IRELAND AGREEMENT) ACT, 1926, AND THE UNEMPLOYMENT INSURANCE (AGREEMENT) ACT (NORTHERN IRELAND), 1926.

WHEREAS on the tenth day of February, nineteen hundred and twenty-six, an agreement (hereinafter referred to as "the principal agreement") was made between the Treasury and the Ministry of Finance for Northern Ireland (hereinafter referred to as "the Ministry of Finance") with a view to assimilating the burdens on the Exchequer of the United Kingdom and the Exchequer of Northern Ireland per head of populations in respect of unemployment insurance :

And whereas the principal agreement was confirmed by the Unemployment Insurance (*Northern Ireland Agreement*) Act, 1926, being an Act of the Parliament of the United Kingdom, and by the Unemployment Insurance (*Agreement*) Act (*Northern Ireland*), 1926, being an Act of the Parliament of Northern Ireland, and is set forth in the Schedules to those Acts :

A D. 1929.

And whereas the principal agreement under the provisions of Article 9 thereof is to continue in force only until the thirty-first day of March, nineteen hundred and thirty, and no longer, and the Treasury and the Ministry of Finance are desirous that the principal agreement should continue in force after that date :

Now, therefore, the Treasury and the Ministry of Finance have entered into the following supplemental agreement :—

1. The principal agreement shall continue in force after the said thirty-first day of March, nineteen hundred and thirty.

2. The Government of Northern Ireland will, on the thirty-first day of March, nineteen hundred and twenty-nine, write off the sum of £124,434 from the liabilities now amounting to £3,424,434 shown on the suspense account created under section four of the said Unemployment Insurance (Agreement) Act (Northern Ireland), 1926, and on each succeeding thirty-first day of March will write off a further sum of £100,000 from those liabilities until the whole of the excess debt as defined in the said section is extinguished.

3. This agreement shall not come into force until confirmed by Acts of the Parliaments of the United Kingdom and Northern Ireland.

(Signed)

(Signed)

H. M. POLLOCK.

WINSTON S. CHURCHILL,  
 F. GEORGE PENNY.

14th December, 1928.

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## CHAPTER 2.

An Act to apply certain Sums out of the Consolidated Fund of Northern Ireland to the service of the years ending on the thirty-first day of March, nineteen hundred and twenty-nine, and the thirty-first day of March, nineteen hundred and thirty, and to appropriate the Supplies granted in this Session of Parliament.

[25th March, 1929.]

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, for the purpose of making good the supply and applying the sums which the House of Commons have, in pursuance of recommendations from the Governor of Northern Ireland, granted to His Majesty in this Session of Parliament, as follows :—

## GRANT OUT OF CONSOLIDATED FUND.

A.D. 1929.

1. The Ministry of Finance may issue out of the Consolidated Fund of Northern Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, nineteen hundred and twenty-nine, the sum of two hundred and forty-seven thousand, nine hundred and ten pounds.

Issue of  
£247,910  
out of the  
Consolidated  
Fund for the  
service of the  
year ending  
31st March,  
1929.

2. The Ministry of Finance may issue out of the said Consolidated Fund, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, nineteen hundred and thirty, the sum of two million, four hundred and forty-six thousand, one hundred pounds.

Issue of  
£2,446,100  
out of the  
Consolidated  
Fund for the  
service of the  
year ending  
31st March,  
1930.

3.—(1) The Ministry of Finance may borrow from any person, by the issue of Treasury Bills or otherwise, on the credit of the said sums, any sum or sums not exceeding in the whole one million, five hundred thousand pounds.

Power for  
the Ministry  
of Finance  
to borrow.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March, nineteen hundred and thirty, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills) shall not apply with respect to those Bills.

40 & 41 Vict.,  
c. 2

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with any interest due thereon, out of the growing produce of the said Consolidated Fund at any date not later than the quarter next succeeding to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer of Northern Ireland, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

## APPROPRIATION OF GRANTS.

4. The sums granted by this Act out of the said Consolidated Fund towards making good the supply granted to His Majesty, amounting, as appears by

Appropriation of  
grants.

A.D. 1929.

Schedule (A) of this Act, in the aggregate to the sum of two million, six hundred and ninety-four thousand, and ten pounds, are appropriated for the several services and purposes expressed in Schedule (B) of this Act.

In addition to the sums hereby granted out of the said Consolidated Fund, there may be applied as appropriations in aid of the grants for the several services and purposes specified in Schedule (B) of this Act the sums respectively set forth in the last column of Part I of the said Schedule (B), and any of the sums set forth in that column may be so applied, notwithstanding that some part thereof may be derived from sums granted by Act of Parliament for other services specified in the said Schedule (B).

Declaration  
required in  
certain cases  
before  
receipt of }  
sums appro-  
priated.

5.—(1) A person shall not receive any payment out of a grant which may be made in pursuance of this Act for civil or police non-effective services, until he has subscribed such declaration as may from time to time be prescribed by a warrant of the Ministry of Finance before one of the persons prescribed by the warrant :

Provided that the Ministry of Finance may dispense with the production of a declaration under this section in respect of any payment if such a declaration has been subscribed within a period of three calendar months preceding the date of the payment.

(2) Any person who makes a declaration for the purpose of this section knowing the same to be untrue in any material particular shall be guilty of a misdemeanour.

Short title.

6. This Act may be cited as the Appropriation Act (*Northern Ireland*), 1929.

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SCHEDULE (A).

GRANTS OUT OF THE CONSOLIDATED FUND.

|                                                                   |         |              |
|-------------------------------------------------------------------|---------|--------------|
| For the service of the year ending on the 31st day of March, 1929 | .. .. . | £<br>247,910 |
| For the service of the year ending on the 31st day of March, 1930 | .. .. . | 2,446,100    |
| Total                                                             | ..      | £2,694,010   |

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## SCHEDULE (B).

A.D. 1929.

## PART I.

SCHEDULE of sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Services herein particularly mentioned for the year ending on the 31st day of March, 1929, viz. :—

| No. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Sums<br>Granted. | Appropriations in Aid. |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------------|
|     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | £                | £                      |
|     | CLASS I.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                  |                        |
| 3.  | For the salaries and expenses of the Ministry of Finance, including the administration of revenue services, valuation, registration, loan services, public works, charity funds, Stationery Office, teachers' pensions, Civil Service Commission, Ulster Savings Certificates, Loans Guarantee Acts (Northern Ireland), 1922 to 1928, Land Law Acts, collection of land purchase annuities and tithe rent charges, Intoxicating Liquor Acts (Northern Ireland), 1923, 1925 and 1927, the Census of Northern Ireland, 1926, and sundry agency services . . . .. | 2,165            | —                      |
|     | CLASS II.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |                        |
| 3.  | For expenditure in respect of public works and buildings . . . ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 18,285           | 3,050                  |
| 5.  | For superannuation, compensation, compassionate, and additional allowances and gratuities under the Superannuation Acts (Northern Ireland), 1921 to 1925; pensions and gratuities under the Civil Pensions Act (Northern Ireland), 1925, the Land Purchase (Ireland) Act, 1891, and the Church Temporalities Fund Act (Northern Ireland), 1922; non-statutory gratuities awarded by the Ministry of Finance; and in respect of workmen's compensation insurance . . . ..                                                                                       | 300              | —                      |
| 9.  | For a contributory payment towards interest charges under section 2 (1) (b) of the Loans Guarantee Act (Northern Ireland), 1926 . .                                                                                                                                                                                                                                                                                                                                                                                                                            | 9,340            | —                      |

A.D. 1929.

|                  |                                                                                                                                                                                                                                                                                                                                                | Sums<br>Granted. | Appropriations in Aid. |
|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------------|
|                  |                                                                                                                                                                                                                                                                                                                                                | £                | £                      |
| <b>CLASS IV.</b> |                                                                                                                                                                                                                                                                                                                                                |                  |                        |
| No.              |                                                                                                                                                                                                                                                                                                                                                |                  |                        |
| 1.               | For the salaries and certain expenses of the Ministry of Labour ..                                                                                                                                                                                                                                                                             | 10               | 1,990                  |
| 3.               | For the contributions to the Unemployment Fund under the Unemployment Insurance Acts, and the Exchequer equalisation grant to the Unemployment Fund under the Unemployment Insurance (Agreement) Act (Northern Ireland), 1926                                                                                                                  | 181,000          | —                      |
| 4.               | For grants to local authorities, etc., for assistance in carrying out approved schemes to relieve unemployment, for expenses in connection with training unemployed persons for overseas settlement, and for defraying the cost of the Northern Ireland quota under the Canadian Harvesters' Scheme of the Government of the United Kingdom .. | 10               | —                      |
| 6.               | For old age pensions under the Old Age Pensions Acts and under the Widows' Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1925, and for pensions under the Blind Persons Act, 1920                                                                                                                                         | 30,000           | —                      |
| <b>CLASS V.</b>  |                                                                                                                                                                                                                                                                                                                                                |                  |                        |
| 2.               | For the expenses of educational services .. .. .                                                                                                                                                                                                                                                                                               | 5,000            | —                      |
| <b>CLASS VI.</b> |                                                                                                                                                                                                                                                                                                                                                |                  |                        |
| 2.               | For the expenses of the Ministry of Agriculture in respect of agricultural education and research, improvement of live stock, agricultural development, agricultural statistics, afforestation and diseases of animals, including sundry grants in aid and certain capital expenditure .. .. .                                                 | 1,800            | 1,150                  |

A.D. 1929

## PART II.

SCHEDULE of sums granted to defray the charges of the several Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March, 1930, viz. :—

| No.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Sums not exceeding.  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| CLASS I.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | £                    |
| 1. For the salaries and expenses of the Senate and of the House of Commons, including a grant in aid .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 10,000 (on account). |
| 2. For the salaries of the Department of the Minister and the salaries of the Cabinet Secretariat, including the expenses of the Privy Council Office .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 4,000 (on account).  |
| 3. For a grant in aid of the Government Hospitality Fund .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 350 (on account).    |
| CLASS II.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                      |
| 1. For the salaries and expenses of the Ministry of Finance, including the cost of administration of revenue services, valuation, registration, loan services, public works, charity funds, Stationery Office, teachers' pensions, Civil Service Commission, Ulster Savings Certificates, Loans Guarantee Acts (Northern Ireland), 1922 to 1928, Land Law Acts, collection of land purchase annuities and tithe rent charges, Intoxicating Liquor Acts (Northern Ireland), 1923, 1925 and 1927, the Census of Northern Ireland, 1926, Freight Rebates Fund, and sundry agency services and a grant in aid .. .. . | 50,000 (on account). |
| 2. For the expenses of the Department of the Comptroller and Auditor-General .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 1,500 (on account).  |
| 3. For expenditure in respect of public works and buildings .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 90,000 (on account). |
| 4. For stationery, printing, paper, binding, books and office supplies for the public service and for the Houses of Parliament and for the production of the Belfast Gazette .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                              | 1,000 (on account).  |
| 5. For superannuation, compensation, compassionate, and additional allowances and gratuities under the Superannuation Acts (Northern Ireland), 1921 to 1925; pensions and gratuities under the Civil Pensions Act (Northern Ireland), 1925, the Land Purchase (Ireland) Act, 1891, and the Church Temporalities Fund Act (Northern Ireland), 1922; non-statutory gratuities awarded by the Ministry of Finance; and in respect of workmen's compensation insurance .. .. .                                                                                                                                        | 2,150 (on account).  |

A.D. 1929.

|     |                                                                                                                                                                                                                                       | Sums not exceeding.   |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| No. | CLASS II.—Continued.                                                                                                                                                                                                                  | £                     |
| 6.  | For the salaries, allowances and expenses of the County Court service and of Resident Magistrates, and sundry miscellaneous legal expenses, including certain grants in aid .. .. .                                                   | 8,000 (on account).   |
| 7.  | For the expenses in respect of secret services .. .. .                                                                                                                                                                                | 800 (on account).     |
| 8.  | For the salaries and expenses of the Public Record Office and the cost of the administration of the Ancient Monuments Act (Northern Ireland), 1926 .. .. .                                                                            | 1,400 (on account).   |
| 9.  | For a grant to the Freight Rebates Fund .. .. .                                                                                                                                                                                       | 17,000 (on account).  |
| No. | CLASS III.                                                                                                                                                                                                                            |                       |
| 1.  | For the salaries and expenses of the Ministry of Home Affairs .. .. .                                                                                                                                                                 | 20,000 (on account).  |
| 2.  | For the salaries and expenses of the Royal Ulster Constabulary, including police women .. .. .                                                                                                                                        | 260,000 (on account). |
| 3.  | For the salaries and expenses of the Special Constabulary .. .. .                                                                                                                                                                     | 21,000 (on account).  |
| 4.  | For the expenses of criminal prosecutions and other law charges, including the expenses of civil litigation and grants in relief of certain expenses payable by statute out of local rates .. .. .                                    | 5,700 (on account).   |
| 5.  | For the expenses of prisons and the maintenance of criminal lunatics .. .. .                                                                                                                                                          | 14,500 (on account).  |
| 6.  | For the expenses of the Borstal Institution, reformatory and industrial schools, and places of detention .. .. .                                                                                                                      | 5,000 (on account).   |
| 7.  | For grants to local authorities in respect of health, housing, etc., and in relief of local rates .. .. .                                                                                                                             | 170,000 (on account). |
|     | CLASS IV.                                                                                                                                                                                                                             |                       |
| 1.  | For the salaries and certain expenses of the Ministry of Labour .. .. .                                                                                                                                                               | 53,000 (on account).  |
| 2.  | For the contributions and grants in aid of the cost of benefits and expenses of administration under the National Health Insurance Acts .. .. .                                                                                       | 53,000 (on account).  |
| 3.  | For the contributions to the Unemployment Fund under the Unemployment Insurance Acts, and the Exchequer equalisation grant to the Unemployment Fund under the Unemployment Insurance (Agreement) Act (Northern Ireland), 1926 .. .. . | 350,000 (on account). |

|                          |                                                                                                                                                                                                                                                                                           | Sums not exceeding. | A.D. 1929.    |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------|
| No. CLASS IV.—Continued. |                                                                                                                                                                                                                                                                                           | £                   |               |
| 4.                       | For grants to local authorities, etc., for assistance in carrying out approved schemes to provide employment ; for expenses in connection with training centres ; and for advances to workpeople for fares under the Labour Exchanges Act, 1909 ..                                        | 58,000              | (on account). |
| 5.                       | For the sum payable to the Ministry of Finance Pensions Account in accordance with the provisions of the Widows' Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1925 ..                                                                                               | 35,000              | (on account). |
| 6.                       | For old age pensions under the Old Age Pensions Acts and under the Widows' Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1925, and for pensions under the Blind Persons Act, 1920 .. ..                                                                              | 450,000             | (on account). |
| CLASS V.                 |                                                                                                                                                                                                                                                                                           |                     |               |
| 1.                       | For the salaries and expenses of the Ministry of Education .. ..                                                                                                                                                                                                                          | 24,000              | (on account). |
| 2.                       | For the expenses of educational services ..                                                                                                                                                                                                                                               | 650,000             | (on account). |
| CLASS VI.                |                                                                                                                                                                                                                                                                                           |                     |               |
| 1.                       | For the salaries and expenses of the Ministry of Agriculture .. ..                                                                                                                                                                                                                        | 24,500              | (on account). |
| 2.                       | For the expenses of the Ministry of Agriculture in respect of agricultural education and research, improvement of live stock, agricultural development, agricultural statistics, afforestation and diseases of animals, including sundry grants in aid and certain capital expenditure .. | 40,000              | (on account). |
| 3.                       | For the salaries and expenses of the Ministry of Agriculture in respect of Ordnance Survey and Geological Survey ..                                                                                                                                                                       | 2,700               | (on account). |
| CLASS VII.               |                                                                                                                                                                                                                                                                                           |                     |               |
| 1.                       | For the salaries and expenses of the Ministry of Commerce .. ..                                                                                                                                                                                                                           | 7,000               | (on account). |
| 2.                       | For the expenses of the Ministry of Commerce in respect of harbours and railway, fishery and commercial services, including certain grants in aid .. ..                                                                                                                                   | 16,500              | (on account). |

A.D. 1929.

## CHAPTER 3.

An Act to provide for the establishment of a Rating Relief Suspense Account, and to authorise the Ministry of Finance to guarantee the payment of certain agricultural loans, and for purposes connected therewith. [27th March, 1929.]

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

Rating  
Relief  
Suspense  
Account.

13 & 14  
Geo. 5., c. 4.

1.—(1) Out of the annual surplus of the financial year ended on the thirty-first day of March, nineteen hundred and twenty-eight, before that surplus is applied to the purposes referred to in section two of the *Exchequer and Financial Provisions Act (Northern Ireland), 1923* (as amended by subsequent enactments), there shall be paid the sum of one hundred and twenty thousand pounds to an account to be established for the purposes of this section and to be known as “the Rating Relief Suspense Account.”

(2) There shall be charged on and issued out of the Consolidated Fund of Northern Ireland or the growing produce thereof, in the financial year ending on the thirty-first day of March, nineteen hundred and twenty-nine, the sum of three hundred thousand pounds, and the said sum shall be carried to the Rating Relief Suspense Account.

(3) All sums carried to the Rating Relief Suspense Account in accordance with the provisions of this section shall be applied in such manner as Parliament may hereafter determine ; and, pending such application, any sums standing to the credit of the said account may be invested by the Ministry of Finance, and the income arising from any such investments shall be paid into the said account.

Power of  
Ministry of  
Finance to  
guarantee  
certain loans  
to occupiers  
of agricul-  
tural  
holdings.

2.—(1) The Ministry of Finance may, subject to the provisions of this section, guarantee the payment of the interest and principal, or of either interest or principal, of loans made by joint stock banks to occupiers of agricultural holdings in rural districts in Northern

Ireland to enable such occupiers to purchase seeds or artificial fertilisers for the cultivation of their holdings.

A.D. 1929.

(2) Loans which may be guaranteed under this section shall be made in such manner and form and on such terms and conditions as the Ministry of Finance thinks proper.

(3) The Ministry of Finance may at any time after a loan has been guaranteed under this section pay to the lender the amount of principal and interest then due, and thereafter the said principal, and all interest thereon, shall be payable by the borrower to the Ministry of Finance.

(4) The aggregate capital amount of the loans, the principal or interest of which is guaranteed under this section, shall not exceed the sum of two hundred and fifty thousand pounds.

(5) No guarantee shall be given by the Ministry of Finance under this section unless application for the loan is made on or before the thirty-first day of December, nineteen hundred and twenty-nine :

Provided that any guarantee so given may at any time be renewed in respect of the whole or any part of the loan to which the guarantee relates.

(6) Such sums as may from time to time be required by the Ministry of Finance for fulfilling any guarantees given under this section, or for payments to lenders under sub-section (3) of this section, shall be paid out of moneys provided by Parliament, and, if such moneys are insufficient, shall be a charge on and payable out of the Consolidated Fund of Northern Ireland or the growing produce thereof ; and all sums paid to the said Ministry from time to time in or towards the repayment of any sum under this section shall in the former case be appropriated in aid of such moneys, and in the latter case be paid into the Exchequer of Northern Ireland.

3. This Act may be cited as the *Exchequer and Financial Provisions Act (Northern Ireland), 1929.* Short title.

A.D. 1929

## CHAPTER 4.

An Act to amend section twenty-two of the Industrial and Provident Societies Act, 1893, in its application to Northern Ireland.

[16th April, 1929].

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

Amendment  
of 56 & 57  
Vict. c. 39,  
s. 22.

1. Notwithstanding anything in section twenty-two of the Industrial and Provident Societies Act, 1893, a member of a society registered under that Act shall not, without his consent in writing having been first obtained, be bound by any amendment of rules registered after he became a member and after the passing of this Act, if and so far as such amendment requires him to take or subscribe for more shares than the number held by him at the date of registration of the amendment, or to pay upon the shares so held any sum exceeding the amount unpaid upon them at that date, or in any other way increases the liability of the member to contribute to the share or loan capital of the society.

Short title  
and con-  
struction.

2. This Act may be cited as the Industrial and Provident Societies (Amendment) Act (Northern Ireland), 1929, and shall be construed as one with the Industrial and Provident Societies Acts, 1893 to 1913, as those Acts apply in Northern Ireland; and those Acts and this Act may accordingly be cited together as the Industrial and Provident Societies Acts (Northern Ireland), 1893 to 1929.



CHAPTER 5.

A.D. 1929.

An Act to amend the law with respect to the method of voting at Elections of Members to serve in the Parliament of Northern Ireland, and to provide for the Redistribution of Seats at such Elections, and for other purposes connected therewith.  
[16th April, 1929.]

**W**HEREAS it is provided by sub-section (5) of section fourteen of the Government of Ireland Act, 1920, that after three years from the day of the first meeting of the Parliament of Northern Ireland (which meeting was held on the seventh day of June, nineteen hundred and twenty-one) that Parliament may alter the law relating to elections, the constituencies, and the distribution of the members among the constituencies, provided that in any new distribution the number of the members shall not be altered, and due regard shall be had to the population of the constituencies other than university constituencies :

10 & 11 Geo. 5,  
c. 67

Be it therefore enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

1. The members of the House of Commons of Northern Ireland (in this Act referred to as "the House of Commons") shall, at a contested election, be elected by the same method of voting as is, at the passing of this Act, prescribed by law for use at a contested election of members to serve in the Parliament of the United Kingdom of Great Britain and Northern Ireland for constituencies in Northern Ireland; and so much of sub-section (3) of section fourteen of the Government of Ireland Act, 1920, as provides that, at any contested election of the full number of members of the House of Commons, the election shall be according to the principle of proportional representation shall cease to have effect, except as respects an election of members for any university constituency where there are two or more members to be elected.

Alteration of  
method of  
voting at  
contested  
parliamentary  
elections

**A.D. 1929.**  
 ———  
 Redistribu-  
 tion of seats.

2.—(1) Each of the areas mentioned in the first column of Part I. of the First Schedule to this Act shall be a parliamentary borough returning the number of members of the House of Commons specified opposite to the name of that borough in the said Part, and shall be divided into the divisions specified therein, and each such division shall return one member.

(2) Each of the areas mentioned in the first column of Part II. of the First Schedule to this Act shall be a parliamentary county returning the number of members of the House of Commons specified opposite to the name of that county in the said Part, and shall be divided into the divisions specified therein, and each such division shall return one member.

(3) The university mentioned in Part III. of the First Schedule to this Act shall be a constituency returning the number of members of the House of Commons specified opposite to the name of that constituency in the said Part.

(4) The distribution of seats under this section shall, for the purposes of elections of members of the House of Commons, take the place of the distribution of seats existing at the time of the passing of this Act; and all writs for elections of such members, and other documents consequent upon the writs, or relating to elections of such members, shall be framed and expressed in such manner and form as may be necessary for carrying into effect the provisions of this Act.

(5) The election laws, as defined in section seventy-four of the Government of Ireland Act, 1920, shall apply to elections of members of the House of Commons, and to the parliamentary boroughs, parliamentary counties, divisions of parliamentary boroughs and counties, and university constituency constituted by this Act, as if sub-divisions (1) and (2) of article four of the Election Laws Application (House of Commons of Northern Ireland) Order, 1921, had never been made.

(6) The registers for the registration units (or parts of registration units) contained in any parliamentary borough, parliamentary county, or division of a parliamentary borough or county, constituted by this Act shall

together form the register of parliamentary electors for that borough, county or division, and sub-section (1) of section six of the Representation of the People Act (Northern Ireland), 1928, shall have effect subject to the provisions of this section.

A.D. 1929.

18 & 19 Geo. 5,  
c. 24.

3.—(1) Immediately after the passing of this Act, the council having power to divide a constituency into polling districts shall take into consideration the division of the constituency into polling districts, and shall, subject to confirmation by the Ministry of Home Affairs and to any directions which that Ministry may give by order, make any re-arrangement of polling districts existing at the passing of this Act, and of polling places, which it appears necessary to make as a consequence of alterations effected by this Act.

Re-arrange-  
ment of  
polling  
districts and  
places, and  
removal of  
doubts.

(2) If any doubt arises as to the constituency in which any parish, townland, ward, or other place, whether smaller or larger than a parish, townland or ward, is intended by the First Schedule to this Act to be included, that doubt shall be determined by the Ministry of Home Affairs.

4.—(1) For the purposes of an election of a member to serve in the Parliament of Northern Ireland for any county constituency named in Part II. of the First Schedule to this Act—

Returning  
officer and  
place of  
election in  
county con-  
stituency

- (a) the under sheriff of the administrative county, in which the whole or the greater part of the constituency is contained, shall be the returning officer ; and
- (b) the place of election shall be such place as may be fixed for the constituency by the returning officer with the approval of the Governor of Northern Ireland.

(2) For the purposes of an election of a member to serve in the Parliament of Northern Ireland for any borough constituency named in Part I. of the First Schedule to this Act, the under-sheriff of the county of a city in which any part of the constituency is comprised shall be the returning officer.

A.D. 1929.

Alteration of  
scale of  
election  
expenses.  
7 & 8 Geo. 5,  
c. 64.

5. The provisions of the Fourth Schedule to the Representation of the People Act, 1918, shall, in their application to elections of members of the House of Commons, have effect as if five pence were substituted for two pence in the case of a county election and in the case of an election for a borough; and the amendments made in those provisions by section seventy-one of the Government of Ireland Act, 1920, shall cease to have effect in their application to the said elections.

Minor  
amendments  
of election  
laws.

6. The enactments hereinafter mentioned in this section shall, as from the passing of this Act, have effect subject to the following amendments:—

- (a) In the application of sub-section (3) of section fourteen of the Government of Ireland Act, 1920 (including the enactment therein mentioned) to the university constituency constituted by this Act, the reference to His Majesty in Council shall be construed as a reference to the Governor of Northern Ireland in Council, but this provision shall not prejudice the operation of the University Elections (Single Transferable Vote) Regulations, 1918, until regulations are made by the said Governor in Council;
- (b) The powers of dividing a constituency into polling districts and appointing polling places therefor shall, for the purposes of elections of members of the House of Commons, be exercisable by the council of the administrative county or the county borough in which the whole or the greater part of the constituency is contained, and section thirty-one and sub-section (9) of section forty-four of the Representation of the People Act, 1918, shall have effect accordingly;
- (c) The powers in relation to polling districts and polling places, which were conferred upon the Local Government Board for Ireland by the Representation of the People Act, 1918, as originally enacted, shall, for the purposes

of elections of members of the House of Commons, be exerciseable by the Ministry of Home Affairs.

A.D. 1929.  
—

7.—(1) This Act shall, save as therein expressly provided, come into operation on the day on which the Parliament of Northern Ireland is first dissolved, or ceases to have continuance, after the passing of this Act.

Commence-  
ment of Act  
and first  
elections.

(2) If any difficulty arises at any time after the passing of this Act as to the formation of the first register of electors according to the constituencies named in the First Schedule to this Act, or as to the re-arrangement of polling districts and polling places for those constituencies, or as to the holding of the first elections of members of the House of Commons after this Act comes into operation, the Ministry of Home Affairs may by order do any matter or thing which appears to that Ministry necessary for the proper formation of such register, the proper re-arrangement of polling districts and polling places, or the proper holding of any such elections.

8.—(1) The enactments (including provisions made by Orders in Council) set out in the Second Schedule to this Act are hereby repealed, as respects Northern Ireland, to the extent specified in that Schedule.

Repeal and  
short title.

(2) This Act may be cited as the House of Commons (*Method of Voting and Redistribution of Seats*) Act (*Northern Ireland*), 1929, and shall be construed as one with the Representation of the People Acts (*Northern Ireland*), 1918 to 1928; and those Acts and this Act may be cited together as the Representation of the People Acts (*Northern Ireland*), 1918 to 1929.

[Ch. 5.] *House of Commons* [19 GEO. 5.]  
*(Method of Voting and Redistribution of Seats) Act*  
*(Northern Ireland), 1929.*

A.D. 1929.

**FIRST SCHEDULE.**Sections 2, 3,  
4 and 7.**REDISTRIBUTION OF SEATS.**

1. The names, contents and boundaries of each parliamentary borough and county and division thereof shall be as specified in Parts I. and II. of this Schedule.

2. The areas mentioned in the second and last columns of Parts I. and II. of this Schedule shall be taken to be those areas as constituted on the twenty-seventh day of February, nineteen hundred and twenty-nine : Provided that any misnomer or inaccurate description of any of those areas in those columns shall not in any way prevent or abridge the operation of this Act with respect to the subject of the description, if it is so designated as to be commonly understood.

3. The wards mentioned in Part I. of this Schedule are, in relation to any county borough, wards of that borough.

**PART I.****PARLIAMENTARY BOROUGH.**

| Name of Parliamentary Borough. | Contents of Parliamentary Borough. | Total Number of Members for Parliamentary Borough. | Names of Divisions of Parliamentary Borough. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------------------------------|------------------------------------|----------------------------------------------------|----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Belfast                        | The County Borough of Belfast.     | Sixteen                                            | Ballynafeigh                                 | The part of the Ormeau Ward which is included within a line drawn from a point on the boundary of the Ward opposite the southern boundary of the premises of the Cromac Distillery, proceeding in an easterly direction along the southern boundary of the said premises to the centre of the passage at the reer of the premises on the west side of St. Kilda Street, thence in a northerly and north-easterly direction along the centre of the said passage and continuing in a straight line between the premises 59 and 61 Ravenhill Road to the centre of the Ravenhill Road, thence in a north- |

(Method of Voting and Redistribution of Seats) Act  
(Northern Ireland), 1929.

PARLIAMENTARY BOROUGH—*continued.*

| Name of Parliamentary Borough. | Contents of Parliamentary Borough. | Total Number of Members for Parliamentary Borough. | Names of Divisions of Parliamentary Borough. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------------------------------|------------------------------------|----------------------------------------------------|----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Belfast—<br><i>continued.</i>  |                                    |                                                    | Ballynafeigh<br><i>--continued.</i>          | easterly direction along the centre of Shamrock Street to a point opposite the centre of Rathmore Street, thence in a south-easterly direction along the centre of Rathmore Street to a point opposite the centre of the passage between Shamrock Street and Glentoran Street, thence along the centre of the said passage across Mount Street to the eastern boundary of the premises on the south side of Shamrock Street, thence in a northerly direction along the eastern boundary of the said premises to the boundary of Nettlefield, thence in a northerly and easterly direction along the boundary of Nettlefield to the centre of the passage at the re-re of the premises on the west side of Cherryville Street, thence in a northerly direction along the centre of said passage to the re-re of the premises on the south side of Woodstock Road, thence in an easterly direction along the boundary of the said premises and the premises No. 46 Cherryville Street, and continuing in a straight line across Cherryville Street and along the re-re of the premises on the south side of Woodstock Road across Bryansford Street and to the centre of My Lady's Road, thence in a southerly direction along the centre of My Lady's Road to a point opposite the western boundary of Willowfield Church of Ireland Church, thence in a southerly direction to the northern side of Jocelyn Street, thence in a southerly and westerly direction to the re-re of the premises on the south side of My Lady's Road, thence in a southerly direction along the re-re of the said |

[Ch. 5.] *House of Commons* [19 GEO. 5.]  
*(Method of Voting and Redistribution of Seats) Act*  
*(Northern Ireland), 1929.*

PARLIAMENTARY BOROUGHs—*continued.*

| Name of Parliamentary Borough. | Contents of Parliamentary Borough. | Total Number of Members for Parliamentary Borough. | Names of Divisions of Parliamentary Borough. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|--------------------------------|------------------------------------|----------------------------------------------------|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Belfast —<br><i>continued.</i> |                                    |                                                    | Ballynafeigh<br>— <i>continued.</i>          | premises to a point in the centre of Rosebery Road, thence in a southerly direction along the centre of Rosebery Road to a point opposite the northern boundary of the premises No. 90 Rosebery Road, thence in a north-easterly direction along the said boundary to the rere of the said premises, thence in a southerly direction along the rere of the premises on the east side of Rosebery Road, across Ardenvohr Street to the rere of the premises on the north side of Ravenhill Avenue, thence in a westerly direction along the boundary of the said premises to the centre of Rosebery Road, thence in a southerly direction to the centre of Ravenhill Avenue at the junction of Rosebery Road and Ravenhill Avenue, thence in a westerly direction along the centre of Ravenhill Avenue to a point opposite the centre of Millar Street, thence in a southerly direction along the centre of Millar Street to a point opposite the northern boundary of the premises No. 2 Millar Street, thence in a southerly direction along the rere of the premises No. 2 and No. 4 Millar Street, continuing in a straight line in a southerly direction along a fence to a point at the rere of the premises on the north side of Ardenlee Avenue, thence in a westerly direction along the rere of the said premises to the boundary of the premises No. 1 Ravenhill Gardens, thence in a southerly and westerly direction along the boundary of the said premises to the boundary of the premises No. 326 Ravenhill |



[19 GEO. 5.] *House of Commons* [Ch. 5.]  
*(Method of Voting and Redistribution of Seats) Act*  
*(Northern Ireland), 1929.*

23

PARLIAMENTARY BOROUGH—*continued.*

| Name of Parliamentary Borough. | Contents of Parliamentary Borough. | Total Number of Members for Parliamentary Borough. | Names of Divisions of Parliamentary Borough. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------------|------------------------------------|----------------------------------------------------|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Belfast—<br><i>continued.</i>  |                                    |                                                    | Ballynafeigh<br><i>continued.</i>            | Road, thence in a south-easterly direction along the eastern boundary of the said premises and continuing in a straight line to the centre of Ardenlee Avenue, thence in a westerly direction along the centre of Ardenlee Avenue to a point in the centre of Ravenhill Road opposite the centre of Ardenlee Avenue, thence in a south-easterly direction along the centre of Ravenhill Road to a point opposite to the northern boundary of the premises No. 402 Ravenhill Road, thence in an easterly and southerly direction along the boundary of the premises 402 and 402A Ravenhill Road, to the northern boundary of the premises on the north side of Ravenhill Park, thence in an easterly direction along the northern boundary of the said premises and continuing in a straight line to the boundary of the ward, thence along the boundary of the Ward in a southerly, westerly and northerly direction to the point first described. |
|                                |                                    |                                                    | Bloomfield                                   | The part of the Pottinger Ward which lies to the east of a line drawn from a point on the boundary of the Ward at the junction of Castlereagh Street and Albertbridge Road and proceeding in a north-easterly direction along the centre of Albertbridge Road to a point on the boundary of the Ward at the junction of Albertbridge Road and Newtownards Road.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                |                                    |                                                    | Central                                      | The Smithfield Ward together with the part of the St. Anne's Ward which lies to the North and East of a line drawn from the boundary of the Ward in the centre                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

[Ch. 5.] *House of Commons* [19 GEO. 5.]  
*(Method of Voting and Redistribution of Seats) Act*  
*(Northern Ireland), 1929.*

PARLIAMENTARY BOROUGHs—*continued.*

| Name of<br>Parliamentary<br>Borough. | Contents of<br>Parliamentary<br>Borough. | Total<br>Number<br>of Mem-<br>bers for<br>Parlia-<br>mentary<br>Borough. | Names of<br>Divisions of<br>Parliamentary<br>Borough. | Contents or Boundaries<br>of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------------|------------------------------------------|--------------------------------------------------------------------------|-------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Belfast—<br><i>continued.</i>        |                                          |                                                                          | Central—<br><i>continued.</i>                         | of Castle Junction proceeding in an easterly direction along the centre of Castle Place to a point opposite the eastern boundary of the premises on the east side of Royal Avenue thence in a northerly direction along the boundary of the said premises to the rere of the premises on the North side of Castle Place, thence in an easterly direction along the rere of the premises on the north side of Castle Place to the centre of Lombard Street, thence in a southerly direction along the centre of Lombard Street, across High Street and the centre of Corn Market to a point opposite the southern boundary of the premises on the south side of High Street, thence in an easterly direction along the southern boundary of the said premises to the rere of the premises on the east side of Corn Market, thence in a southerly direction along the eastern boundary of the said premises across Ann Street and continuing in a south-easterly direction along the rere of the premises on the east side of Arthur Square to the south-eastern boundary of the premises No. 13 Arthur Square, thence in a westerly direction across William Street South and along the southern boundary of the premises on the south side of Arthur Square to the rere of the premises on the east side of Arthur Street, thence along the east boundary of the said premises and continuing to the centre of Chichester Street, thence in a westerly direction along the centre of Chichester Street to a point opposite the centre of Upper Arthur Street, thence along the centre of Upper |

(Method of Voting and Redistribution of Seats) Act  
(Northern Ireland), 1929.

PARLIAMENTARY BOROUGH—*continued.*

| Name of<br>Parliamentary<br>Borough. | Contents of<br>Parliamentary<br>Borough. | Total<br>Number<br>of Mem-<br>bers for<br>Parlia-<br>mentary<br>Borough. | Names of<br>Divisions of<br>Parliamentary<br>Borough. | Contents or Boundaries<br>of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------------------------------------|------------------------------------------|--------------------------------------------------------------------------|-------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Belfast—</b><br><i>continued.</i> |                                          |                                                                          | <b>Central—</b><br><i>continued.</i>                  | <p>Arthur Street to a point opposite the southern boundary of the premises on the south side of Chichester Street, thence in an easterly direction along the said boundary to the rere of the premises on the east side of Upper Arthur Street, thence in a southerly direction along the eastern boundary of the said premises to the rere of the premises on the north side of May Street, thence in a westerly direction to the centre of Upper Arthur Street, thence in a southerly direction along the centre of Upper Arthur Street to the boundary of the Ward at the junction of Upper Arthur Street and May Street. And the part of the Woodvale Ward which lies to the east of a line drawn from the boundary of the Ward at the junction of Boundary Street and Peter's Hill, proceeding in a southerly direction along the centre of Boundary Street to a point on the boundary of the Ward at the junction of Boundary Street and Cargill Street, together with that part of the Court Ward which lies to the east of a line drawn from a point on the boundary of the Court Ward at the junction of Carlisle Street and Carlisle Circus, proceeding in a southerly direction along the centre of Carlisle Street to a point opposite a line running between the rere of the premises in Carlisle Terrace and No. 76 Carlisle Street, thence in a westerly direction along the said line to a point opposite the rere of the premises on the western side of Carlisle Street, thence in a south-westerly direction</p> |

PARLIAMENTARY BOROUGH—*continued.*

| Name of Parliamentary Borough. | Contents of Parliamentary Borough. | Total Number of Members for Parliamentary Borough. | Names of Divisions of Parliamentary Borough. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------------------------------|------------------------------------|----------------------------------------------------|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Belfast—<br><i>continued.</i>  |                                    |                                                    | Central—<br><i>continued.</i>                | along the rere of the said premises to the rere of the premises on the north side of Old Lodge Road, thence in an easterly direction along the rere of the said premises and continuing to a point in the centre of Carlisle Street, thence in a south-westerly direction to a point in the centre of Old Lodge Road opposite the centre of Carlisle Street, thence in a south-easterly direction along the centre of Old Lodge Road to a point opposite the centre of North Boundary Street, thence in a south-easterly direction along the centre of North Boundary Street to a point opposite the rere of the premises on the south side of Old Lodge Road, thence along the said line to a point at the rere of the premises on the west side of North Boundary Street, thence in a south-westerly and southerly direction along the rere of the said premises across Fleming Street, Jackson Street and Riversdale Street to the rere of the premises on the north side of the Shankill Road, thence in an easterly direction along the rere of the said premises to a point in the centre of North Boundary Street, thence in a southerly direction to a point at the junction of Shankill Road and Peter's Hill opposite the centre of North Boundary Street on the boundary of the Ward. |
|                                |                                    |                                                    | Clifton                                      | The part of the Clifton Ward which lies to the north-east of a line commencing at a point on the boundary of the Ward at the junction of Antrim Road and Cliftonville Road, proceeding in a north-westerly direction along the centre of Cliftonville Road to the                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

(Method of Voting and Redistribution of Seats) Act  
(Northern Ireland), 1929.

PARLIAMENTARY BOROUGH—*continued.*

| Name of<br>Parliamentary<br>Borough. | Contents of<br>Parliamentary<br>Borough. | Total<br>Number<br>of Mem-<br>bers for<br>Parlia-<br>mentary<br>Borough. | Names of<br>Divisions of<br>Parliamentary<br>Borough. | Contents or Boundaries<br>of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|--------------------------------------|------------------------------------------|--------------------------------------------------------------------------|-------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Belfast—</b><br><i>continued.</i> |                                          |                                                                          | <b>Clifton—</b><br><i>continued.</i>                  | junction of Cliftonville Road and Manor Street, thence in a south-westerly direction along the centre of Manor Street to the junction of Manor Street and Mountview Street, thence in a north-westerly direction along the centre of Mountview Street and Oldpark Road to the boundary of the Ward, together with that part of Duncairn Ward which is bounded by a line commencing at a point on the boundary of the Ward at the junction of Antrim Road and Duncairn Gardens, proceeding in a south-easterly direction along the centre of Duncairn Gardens to the junction of Duncairn Gardens and Adam Street, thence in a north-easterly direction along the centre of Adam Street to the junction of Adam Street and Mervue Street, thence in a north-westerly direction along the centre of Mervue Street to a point opposite the south-eastern boundary of the Mission Hall, No. 83 Mervue Street, thence along the south-eastern boundary of the said premises to the centre of the passage between Mervue Street and Cosgrave Street, thence in a north-westerly direction along the centre and to the end of the said passage, thence in a north-easterly direction along the centre of Robina Street to the centre of Limestone Road at the junction of Robina Street and Limestone Road, thence in a north-westerly direction along the centre of Limestone Road to a point opposite the centre of Mileriver Street, thence along the centre of Mileriver Street to a point opposite the centre of the passage at the rear of the |

[Ch. 5.] *House of Commons* [19 GEO. 5.]  
*(Method of Voting and Redistribution of Seats) Act*  
*(Northern Ireland), 1929.*

PARLIAMENTARY BOROUGHS—*continued.*

| Name of Parliamentary Borough. | Contents of Parliamentary Borough. | Total Number of Members for Parliamentary Borough. | Names of Divisions of Parliamentary Borough. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------|------------------------------------|----------------------------------------------------|----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Belfast—<br><i>continued.</i>  |                                    |                                                    | Clifton—<br><i>continued.</i>                | premises on the south side of Mountcollyer Street, thence in a westerly direction along the centre of the said passage to the rear of the premises on the east side of Mountcollyer Crescent, thence in a southerly direction to the centre of Parkside Gardens, thence in a north-westerly direction along the centre of Parkside Gardens to the southern boundary of Alexandra Park, thence along the south-western boundary of Alexandra Park to a point opposite the western boundary of the premises No. 12 The Glen, thence in a southerly direction along the western boundary of the said premises and continuing in a straight line to the centre of Limestone Road, thence in a north-westerly direction along the centre of Limestone Road to the boundary of the Duncairn Ward at the junction of Limestone Road and Antrim Road, thence in a southerly direction along the centre of Antrim Road to the point first described. |
|                                |                                    |                                                    | Cromac -                                     | The Cromac Ward.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|                                |                                    |                                                    | Dock -                                       | The Dock Ward.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                |                                    |                                                    | Duncairn -                                   | The part of the Duncairn Ward which is not included in the Clifton Division.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                                |                                    |                                                    | Falls -                                      | The Falls Ward.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|                                |                                    |                                                    | Oidpark—                                     | The part of the Shankill Ward which lies to the east and north of a line drawn continuously from a point on the boundary of the Ward at the junction of Tennent Street and Crumlin Road, proceeding in a southerly direction along the centre                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

(Method of Voting and Redistribution of Seats) Act  
(Northern Ireland), 1929.

PARLIAMENTARY BOROUGHS—*continued.*

| Name of Parliamentary Borough. | Contents of Parliamentary Borough. | Total Number of Members for Parliamentary Borough. | Names of Divisions of Parliamentary Borough. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------|------------------------------------|----------------------------------------------------|----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Belfast—<br><i>continued.</i>  |                                    |                                                    | Oldpark—<br><i>continued.</i>                | of Tennent Street to a point opposite the centre of Langley Street, thence in an easterly direction along the centre of Langley Street to a point opposite the rere of the premises on the eastern side of Tennent Street, thence along the rere of the said premises to a point in the centre of Danube Street, thence in a westerly direction along the centre of Danube Street to the centre of Tennent Street, thence in a southerly direction along the centre of Tennent Street to a point opposite the boundary between the premises 247 Tennent Street and the Crumlin Road Methodist Church, thence in an easterly direction to the rere of the premises on the east side of Tennent Street, thence in a southerly direction along the rere of the said premises across Sydney Street West and continuing in a straight line to the centre of Ambleside Street, thence in an easterly direction along the centre of Ambleside Street to a point opposite the centre of Bowness Street, thence in a northerly direction along the centre of Bowness Street to a point opposite the rere of the premises on the north side of Ambleside Street, thence in an easterly direction along the rere of the said premises to the centre of Keswick Street, thence in a southerly direction along the centre of Keswick Street to the centre of Ambleside Street, thence in an easterly direction along the centre of Ambleside Street to a point opposite the rere of the premises on the east side of Keswick Street, thence in a northerly direction along the rere of the said premises to a point opposite |

[Ch. 5.] *House of Commons* [19 GEO. 5.]  
*(Method of Voting and Redistribution of Seats) Act*  
*(Northern Ireland), 1929.*

PARLIAMENTARY BOROUGH—*continued.*

| Name of Parliamentary Borough. | Contents of Parliamentary Borough. | Total Number of Members for Parliamentary Borough. | Names of Divisions of Parliamentary Borough. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------------------------------|------------------------------------|----------------------------------------------------|----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Belfast—<br><i>continued.</i>  |                                    |                                                    | Oldpark—<br><i>continued.</i>                | the rere of the premises on the north side of Ambleside Street, thence in an easterly direction along the rere of the said premises to western boundary of the premises on the west of Silvio Street, thence in a southerly direction along the rere of the said premises to a point in the centre of Ambleside Street, thence in an easterly direction along the centre of Ambleside Street across Silvio Street and along the centre of Upper Charleville Street to a point opposite the centre of Howe Street, thence in a northerly direction along the centre of Howe Street to a point opposite the rere of the houses in Upper Charleville Street, thence in an easterly direction along the rere of the said premises across Raleigh Street and Snugville Street to a point in the centre of Crimea Street, thence in a southerly direction along the centre of Crimea Street to a point opposite the centre of the passage between the premises in Charleville Street and Blayney Street, thence in an easterly direction along the centre of the said passage and in a northerly direction along the centre of the passage at the rere of the premises on the west side of Agnes Street to a point in the centre of Charleville Street, thence in an easterly direction along the centre of Charleville Street to a point on the boundary of the Ward at the junction of Charleville Street and Agnes Street, together with the part of the Clifton Ward which is not included in the Clifton Division. |



PARLIAMENTARY BOROUGH—*continued.*

| Name of Parliamentary Borough. | Contents of Parliamentary Borough. | Total Number of Members for Parliamentary Borough. | Names of Divisions of Parliamentary Borough. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------|------------------------------------|----------------------------------------------------|----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Belfast—<br><i>continued.</i>  |                                    |                                                    | Pottinger -                                  | The part of the Pottinger Ward which is not included in the Bloomfield Division, together with that part of the Victoria Ward which lies to the west of a line drawn from a point on the boundary of the Victoria Ward on Newtownards Road opposite the centre of Church Street East, proceeding in a northerly direction along the centre of Church Street East to a point opposite the centre of the passage at the rere of the premises on the north side of Newtownards Road, thence in an easterly direction along the centre of the said passage to a point opposite the centre of the passage at the rere of the premises on the east side of Church Street East, thence in a northerly direction along the centre of the said passage and continued in a straight line to the north side of the County Down Railway Line, thence along the north side of the said Railway Line to a point in the centre of the Bridge over the Railway on Hamilton Road, thence in a north-westerly direction along the centre of Hamilton Road to a point opposite the centre of the Musgrave Channel, thence in a northerly direction along the centre of the said Channel to the boundary of the County Borough. |
|                                |                                    |                                                    | St. Anne's                                   | The St. George's Ward and the part of the St. Anne's Ward which is not included in the Central Division.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

[Ch. 5.] *House of Commons* [19 GEO. 5.]  
*(Method of Voting and Redistribution of Seats) Act*  
*(Northern Ireland), 1929.*

PARLIAMENTARY BOROUGH—*continued.*

| Name of Parliamentary Borough. | Contents of Parliamentary Borough.                                                                                                                                                                                        | Total Number of Members for Parliamentary Borough. | Names of Divisions of Parliamentary Borough. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Belfast—<br><i>continued.</i>  |                                                                                                                                                                                                                           |                                                    | Shankill -                                   | The part of the Shankill Ward which is not included in the Oldpark Division.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                                |                                                                                                                                                                                                                           |                                                    | Victoria -                                   | The part of the Victoria Ward which is not included in the Pottinger Division.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                |                                                                                                                                                                                                                           |                                                    | Willowfield                                  | The part of the Ormeau Ward which is not included in the Ballynafeigh Division.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                                |                                                                                                                                                                                                                           |                                                    | Windsor -                                    | The Windsor Ward.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                |                                                                                                                                                                                                                           |                                                    | Woodvale -                                   | The part of the Woodvale Ward which is not included in the Central Division, together with the part of the Court Ward which is not included in the Central Division.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Londonderry                    | The County Borough of Londonderry together with so much of the Rural District of Londonderry as consists of the district electoral divisions of Eglinton, Glendermot, Liberties Lower, Liberties Middle, Liberties Upper, | Two                                                | City of Londonderry.                         | The East Ward.<br><br>The part of the North Ward which lies to the north and east of a line drawn from a point in the boundary of the County Borough in the centre of Creggan Burn where the footpath or right-of-way leading from Rosemount Avenue to Glen Road crosses the said Burn, thence in a southerly and south-easterly direction along the centre line of the footpath or right-of-way leading to Rosemount Avenue, thence across the said Avenue in a south-easterly and south-westerly direction along the centre of the street locally known as Wark's Lane to a point in the centre of Creggan Road opposite the centre of the said Lane, thence in a south-easterly direction along the |

(Method of Voting and Redistribution of Seats) Act  
(Northern Ireland), 1929.

PARLIAMENTARY BOROUGH—*continued.*

| Name of Parliamentary Borough.   | Contents of Parliamentary Borough. | Total Number of Members for Parliamentary Borough. | Names of Divisions of Parliamentary Borough. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------------------|------------------------------------|----------------------------------------------------|----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Londonderry<br><i>continued.</i> | Lough Enagh and Waterside.         |                                                    | City of London-derry—<br><i>continued.</i>   | <p>centre of Creggan Road to a point opposite the centre of Upper or Infirmary Road, thence in a north-easterly direction along the centre of the last-mentioned Road to a point opposite the centre of Great James Street, thence in a south-easterly direction along the centre of the last-mentioned Street to a point in the centre of Strand Road opposite the centre of Great James Street, thence in a southerly and south-easterly direction along the centre of Strand Road and Waterloo Place to a point in the centre of Waterloo Place opposite the outer angle of the City Walls at their most northerly point at Magazine Gate, thence in a south-westerly direction along the outer face of the City Walls and Bastion to its junction at Castle Gate with the boundary of the North Ward.</p> <p>The Waterside Ward.</p> <p>The part of the West Ward which is inside the City Walls and Bastions, including the said Walls and Bastions.</p> <p>The part of the Rural District of Londonderry which consists of the district electoral divisions of Eglinton, Glendermot, Lough Enagh and Waterside.</p> |
|                                  |                                    |                                                    | Foyle -                                      | <p>The part of the North Ward which is not included in the City of Londonderry Division.</p> <p>The South Ward.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

PARLIAMENTARY BOROUGH—*continued.*

| Name of Parliamentary Borough.   | Contents of Parliamentary Borough. | Total Number of Members for Parliamentary Borough. | Names of Divisions of Parliamentary Borough. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                          |
|----------------------------------|------------------------------------|----------------------------------------------------|----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Londonderry<br><i>continued.</i> |                                    |                                                    | Foyle—<br><i>continued.</i>                  | <p>The part of the West Ward which is not included in the City of Londonderry Division.</p> <p>The part of the Rural District of Londonderry which consists of the district electoral divisions of Liberties Lower, Liberties Middle and Liberties Upper.</p> |

FIRST SCHEDULE.

PART II.

PARLIAMENTARY COUNTIES.

| Name of Parliamentary County. | Contents of Parliamentary County.    | Total Number of Members for Parliamentary County. | Names of Divisions of Parliamentary County. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------|--------------------------------------|---------------------------------------------------|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Antrim                        | The Administrative County of Antrim. | Seven                                             | Antrim                                      | <p>The part of the Rural District of Antrim which consists of the district electoral divisions of Antrim Rural, Antrim Urban, Ballynadrentagh, Ballyrobin, Connor, Craigarogan, Crumlin, Donegore, Dunadry, Dundesert, Kilbride, Muckamore, Randalstown Rural, Randalstown Urban, Seacash, Sharvogue, Shilvodan and Templepatrick.</p> <p>The part of the Rural District of Ballymena which consists of the district electoral division of Kells.</p> <p>The part of the Rural District of Belfast which consists of the district electoral divisions of Ballyduff, Ballygomartin and Ballysillan.</p> <p>The part of the Rural District of Lisburn which consists of the district electoral divisions of Glenavy and Tullyrusk.</p> |

(Method of Voting and Redistribution of Seats) Act  
(Northern Ireland), 1929.

PARLIAMENTARY COUNTIES—*continued.*

| Name of Parliamentary County. | Contents of Parliamentary County. | Total Number of Members for Parliamentary County. | Names of Divisions of Parliamentary County. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------------------------|-----------------------------------|---------------------------------------------------|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Antrim—<br><i>continued.</i>  |                                   |                                                   | Bann Side                                   | <p>The part of the Rural District of Antrim which consists of the district electoral divisions of Cargin and Cranfield.</p> <p>The part of the Rural District of Ballymena which consists of the district electoral divisions of Ahoghill, Ballyconnelly, Ballyscullion, Cloghogue, Drumanaway, Dunminning, Galgorm, Glenbuck, Lisnagarran, Portglenone, Toome and Tullaghgarley.</p> <p>The part of the Rural District of Ballymoney which consists of the district electoral divisions of Dirraw, Dunloy, Enagh, Killagan, Killoquin Lower, Killoquin Upper and The Vow.</p> |
|                               |                                   |                                                   | Carrick                                     | <p>The part of the Rural District of Antrim which consists of the district electoral divisions of Ballyclare Rural, Carntall and Coggrey.</p> <p>The part of the Rural District of Belfast which consists of the district electoral divisions of Ballygolan, Carnmoney, Jordanstown, Monks town, Whiteabbey and Whitehouse.</p> <p>The part of the Rural District of Larne which consists of the district electoral divisions of Ballynure, Carrickfergus Rural, Eden and Middle Division.</p> <p>The Urban Districts of Ballyclare and Carrickfergus.</p>                     |
|                               |                                   |                                                   | Larne                                       | <p>The part of the Rural District of Antrim which consists of the district electoral division of Rashee.</p> <p>The part of the Rural District of Ballymena which consists of the district electoral divisions of Glenwhirry and Slemish.</p>                                                                                                                                                                                                                                                                                                                                  |

[Ch. 5.] *House of Commons* [19 GEO. 5.]  
*(Method of Voting and Redistribution of Seats) Act*  
*(Northern Ireland), 1929.*

PARLIAMENTARY COUNTIES—*continued.*

| Name of<br>Parliamentary<br>County. | Contents of<br>Parliamentary<br>County. | Total<br>Number<br>of Mem-<br>bers for<br>Parlia-<br>mentary<br>County. | Names of<br>Divisions of<br>Parliamentary<br>County. | Contents or Boundaries<br>of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-------------------------------------|-----------------------------------------|-------------------------------------------------------------------------|------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Antrim—<br><i>continued.</i>        |                                         |                                                                         | Larne<br><i>continued.</i>                           | <p>The part of the Rural District of Larne which consists of the district electoral divisions of Ballycor, Carncastle, Glenarm North, Glenarm South, Glynn, Island Magee North, Island Magee South, Kilwaughter, Raloo and Templecorran.</p> <p>The Urban Districts of Larne and Whitehead.</p>                                                                                                                                                                                                                                                                                                                                               |
|                                     |                                         |                                                                         | Mid Antrim                                           | <p>The part of the Rural District of Ballycastle which consists of the district electoral divisions of Glencaan, Glengariff and Glendun.</p> <p>The part of the Rural District of Ballymena which consists of the district electoral divisions of Ballyclug, Broughshane, Clogh, Cromkill, Glenravill, Kirkinriola, Longmore and Newtown Crommelin.</p> <p>The part of the Rural District of Ballymoney which consists of the district electoral division of Corkey.</p> <p>The part of the Rural District of Larne which consists of the district electoral divisions of Ardclinis and Glencloy.</p> <p>The Urban District of Ballymena.</p> |
|                                     |                                         |                                                                         | North<br>Antrim                                      | <p>The part of the Rural District of Ballycastle which consists of the district electoral divisions of Armoy, Ballintoy, Ballycastle Rural, Croagh, Drumtullagh, Dunseverick, Glenmakeeran, Glenshesk, Ramoan, Rathlin and The Fair Head.</p> <p>The part of the Rural District of Ballymoney which consists of the district electoral divisions of Ballycreagh, Ballyhoe, Benvardin, Bushmills, Carnmoon, Castlequarter, Dervock, Dunluce, Kilraghts, Kirkmoyle, Port Cammon, Portrush Rural, Seacon and Stranocum.</p> <p>The Urban Districts of Ballycastle, Ballymoney and Portrush.</p>                                                  |

PARLIAMENTARY COUNTIES—*continued.*

| Name of Parliamentary County. | Contents of Parliamentary County.    | Total Number of Members for Parliamentary County. | Names of Divisions of Parliamentary County. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| Antrim—<br><i>continued.</i>  |                                      |                                                   | South Antrim                                | The part of the Rural District of Lisburn which consists of the district electoral divisions of Aghalee, Ballinderry, Ballyscolly, Derryaghy, Dunmurry, Island Kelly, Lambeg, Lisnagarvy, Lissue, Magheragall, Magheramesk, Malone and Montiahs.<br>The Urban District of Lisburn.                                                                                                                                                                                                                                                                                                                         |
| Armagh                        | The Administrative County of Armagh. | Four                                              | Central Armagh                              | The part of the Rural District of Armagh which consists of the district electoral divisions of Aghory, Ballymartrim, Charlemont, Glenaul, Grange, Hockley, Kilmore Loughgall and Rich Hill.<br>The part of the Rural District of Lurgan which consists of the district electoral divisions of Carrowbrack and Portadown Rural.<br>The part of the Rural District of Tanderagee which consists of the district electoral divisions of Laurel-vale, Mullahead and Tanderagee Rural.<br>The Urban districts of Portadown and Tanderagee.                                                                      |
|                               |                                      |                                                   | Mid Armagh                                  | The part of the Rural District of Armagh which consists of the district electoral divisions of Ballyards, Brootally, Clady, Corporation East, Corporation West, Crossmore, Glennanne, Hamilton's Bawn, Killeen, Lisnadill, Markethill, Milford and Tynan.<br>The part of the Rural District of Newry No. 2 which consists of the district electoral divisions of Drum-banagher, Mountnorris, Mullagh-glass, Poyntzpass and Tullyhappy.<br>The part of the Rural District of Tanderagee which consists of the district electoral divisions of Ballysheil and Mullaghbrack.<br>The Urban District of Armagh. |

[Ch. 5.] *House of Commons* [19 GEO. 5.]  
*(Method of Voting and Redistribution of Seats) Act*  
*(Northern Ireland), 1929.*

PARLIAMENTARY COUNTIES—*continued.*

| Name of Parliamentary County. | Contents of Parliamentary County.  | Total Number of Members for Parliamentary County. | Names of Divisions of Parliamentary County. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------------------|------------------------------------|---------------------------------------------------|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Armagh—<br><i>continued.</i>  |                                    |                                                   | North<br>Armagh                             | The part of the Rural District of Armagh which consists of the district electoral divisions of Annaghmore, Killyman and Tullyroan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                               |                                    |                                                   |                                             | The part of the Rural District of Lurgan, which consists of the district electoral divisions of Breagh, Brownlows Derry, Cornakinnegar, Drumcree, Kernan, Lurgan Rural, Montiaglis and Tartaraghan.                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                               |                                    |                                                   | South<br>Armagh                             | The Urban District of Lurgan.<br><br>The part of the Rural District of Armagh which consists of the district electoral divisions of Armaghbrague, Clay, Darkley, Derrynoose, Drum and Middletown.<br><br>The part of the Rural District of Newry No. 2 which consists of the district electoral divisions of Ballybot, Ballymyre, Belleek, Bessbrook North, Bessbrook South, Camlough, Camly, Creggan, Crossmaglen, Cullaville, Derrymore, Dorsy, Drumintee, Fathom, Forkill, Glasdrumman, Killeen, Killevy, Latbirget, Moybane, Moyra Castle, Mullaghbane, Newtown Hamilton and Tullyvallen.<br><br>The Urban District of Keady. |
| Down                          | The Administrative County of Down. | Eight                                             | Ards                                        | The part of the Rural District of Newtownards which consists of the district electoral divisions of Ardkeen, Ballyhalbert, Ballywalter, Carrowdore, Donaghadee, Grey Abbey, Kircubbin, Newtownards North, Portaferry and Quintin.<br><br>The Urban Districts of Donaghadee and Newtownards.                                                                                                                                                                                                                                                                                                                                       |



PARLIAMENTARY COUNTIES—*continued.*

| Name of Parliamentary County. | Contents of Parliamentary County. | Total Number of Members for Parliamentary County. | Names of Divisions of Parliamentary County. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| Down —<br><i>continued.</i>   |                                   |                                                   | East Down                                   | <p>The part of the Rural District of Downpatrick which consists of the district electoral divisions of Ard-glass, Ballynahinch Rural, Ballynahinch Urban, Crossgar, Downpatrick Rural, Dunmore, Inch, Killinchy, Killyleagh Rural, Killyleagh Urban, Kilmore, Leggygowan, Raholp and Strangford.</p> <p>The part of the Rural District of Hillsborough which consists of the district electoral divisions of Glass-drumman and Saintfield.</p> <p>The Urban District of Downpatrick.</p>                                                                            |
|                               |                                   |                                                   | Iveagh                                      | <p>The part of the Rural District of Banbridge which consists of the district electoral divisions of Dromore Rural, Gilford, Loughans, Quilly and Tullylish.</p> <p>The part of the Rural District of Hillsborough which consists of the district electoral divisions of Annahilt, Ballykeel, Ballyworfy, Dromara, Hillsborough and Maze.</p> <p>The part of the Rural District of Moira which consists of the district electoral divisions of Ballyleny, Bleary, Clare, Donagheloney, Magheralin, Moira and Waringstown.</p> <p>The Urban District of Dromore.</p> |
|                               |                                   |                                                   | Mid Down                                    | <p>The part of the Rural District of Castlereagh which consists of the district electoral divisions of Ballymaconaghy, Ballymiscaw, Castle-reagh, Dundonald and Gilnahirk.</p> <p>The part of the Rural District of Hillsborough which consists of the district electoral divisions of Ballymaebrennan, Ballyskeagh, Blaris Breda, Carryduff, Drumbo, Edenderry and Ouley.</p>                                                                                                                                                                                      |

[Ch. 5.] *House of Commons* [19 GEO. 5.]  
*(Method of Voting and Redistribution of Seats) Act*  
*(Northern Ireland), 1929.*

PARLIAMENTARY COUNTIES—*continued.*

| Name of Parliamentary County. | Contents of Parliamentary County. | Total Number of Members for Parliamentary County. | Names of Divisions of Parliamentary County. | Contents or Boundaries of Divisions.                                                                                                                                                                                                            |
|-------------------------------|-----------------------------------|---------------------------------------------------|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Down—<br><i>continued.</i>    |                                   |                                                   | Mid-Down<br><i>continued.</i>               | The part of the Rural District of Newtownards which consists of the district electoral divisions of Ballygowan, Ballymaglaff, Comber, Kilmoody, Moneyreagh, and Newtownards South.                                                              |
|                               |                                   |                                                   | Mourne -                                    | The part of the Rural District of Banbridge which consists of the district electoral divisions of Ballyward and Leitrim.                                                                                                                        |
|                               |                                   |                                                   |                                             | The part of the Rural District of Downpatrick which consists of the district electoral divisions of Castlewellsan Rural, Castlewellsan Urban, Clough, Dundrum, Killough, Seaforde and Tyrella.                                                  |
|                               |                                   |                                                   | Mourne—<br><i>continued.</i>                | The part of the Rural District of Kilkeel which consists of the district electoral divisions of Annalong, Ballinran, Ballymartin, Brackenagh, Bryansford, Cross, Fofanny, Glassdrumman, Kilkeel East, Kilkeel North, Kilkeel South and Maghera. |
|                               |                                   |                                                   |                                             | The part of the Rural District of Newry No. 1 which consists of the district electoral division of Clonduff.                                                                                                                                    |
|                               |                                   |                                                   |                                             | The Urban District of Newcastle.                                                                                                                                                                                                                |
|                               |                                   |                                                   | North<br>Down                               | The part of the Rural District of Castlereagh which consists of the district electoral divisions of Ballycultra, Ballyhackamore, Craigavad and Holywood Rural.                                                                                  |
|                               |                                   |                                                   |                                             | The part of the Rural District of Newtownards which consists of the district electoral divisions of Crawfordsburn and Groomsport.                                                                                                               |
|                               |                                   |                                                   |                                             | The Borough of Bangor and the Urban District of Holywood.                                                                                                                                                                                       |
|                               |                                   |                                                   | South<br>Down                               | The part of the Rural District of Kilkeel which consists of the district electoral divisions of Attical, Drumreagh, Dunnaman, Greencastle, Killowen, Lisnacree and Rosstrevor.                                                                  |

PARLIAMENTARY COUNTIES—*continued.*

| Name of Parliamentary County. | Contents of Parliamentary County.       | Total Number of Members for Parliamentary County. | Names of Divisions of Parliamentary County. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------|-----------------------------------------|---------------------------------------------------|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Down—<br><i>continued.</i>    |                                         |                                                   | South<br>Down—<br><i>continued.</i>         | The part of the Rural District of Newry No. 1 which consists of the district electoral divisions of Ballyholland, Carrickcrossan, Clonallan, Crobane, Damolly, Hilltown and Mayo.<br>The Urban Districts of Newry and Warrenpoint.                                                                                                                                                                                                                                                     |
|                               |                                         |                                                   | West<br>Down                                | The part of the Rural District of Banbridge which consists of the district electoral divisions of Annacloy, Ballooymore, Ballybrick, Banbridge Rural, Crossgar, Garvaghy, Lenaderg, Loughbrickland, Magherally, Moneyslane, Scarva, Skeagh and Tirkelly.<br>The part of the Rural District of Newry No. 1 which consists of the district electoral divisions of Ballycoshone, Donaghmore, Drumgath, Glen, Rathfryland North and Rathfryland South.<br>The Urban District of Banbridge. |
| Fermanagh -                   | The Administrative County of Fermanagh. | Three                                             | Enniskillen                                 | The part of the Rural District of Enniskillen which consists of the district electoral divisions of Cooly-ermer, Corraglass, Doagh, Drumane, Drummea, Lisbofin, Monea and Rahalton.<br>The part of the Rural District of Irvinestown which consists of the district electoral divisions of Brookhill, Castlecaldwell, Church Hill, Clonelly, Drumrush, Ederney, Irvinestown, Kesh, Killadeas, Lack, Lisnarick, Magheraculmoney and Milltown.<br>The Urban District of Enniskillen.     |

[Ch. 5.] *House of Commons* [19 GEO. 5.]  
*(Method of Voting and Redistribution of Seats) Act*  
*(Northern Ireland), 1929.*

PARLIAMENTARY COUNTIES—*continued.*

| Name of<br>Parliamentary<br>County. | Contents of<br>Parliamentary<br>County. | Total<br>Number<br>of Mem-<br>bers for<br>Parlia-<br>mentary<br>County. | Names of<br>Divisions of<br>Parliamentary<br>County.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Contents or Boundaries<br>of Divisions. |
|-------------------------------------|-----------------------------------------|-------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| Fermanagh—<br><i>continued.</i>     |                                         |                                                                         | <p><b>Lisnaskea</b></p> <p>The part of the Rural District of Enniskillen which consists of the district electoral divisions of Ballycassidy, Ballyreagh, Castlecoole, Clabby, Derrybrusk, Drumderg, Enniskillen, Garvary, Lisbellaw, Newporton and Tempo.</p> <p>The part of the Rural District of Irvinestown which consists of the district electoral division of Bellan-amallard.</p> <p>The part of the Rural District of Lisnaskea which consists of the district electoral divisions of Ballindarragh, Belle Isle, Brookeborough, Carnmore, Castlebalfour, Colebrook, Corralongford, Cross, Deepark, Dresternan, Eshnadarragh, Greenhill, Lisnaskea, Maguiresbridge, Mullaghfad and Rosslea.</p> <p><b>South Fermanagh</b></p> <p>The part of the Rural District of Enniskillen which consists of the district electoral divisions of Aghanaglack, Florence Court, Holywell, Killesher, Kinawley, Kinglass and Old Barr.</p> <p>The part of the Rural District of Irvinestown which consists of the district electoral divisions of Aghamuldowney, Belleek, Garrison, Inishmacsaint and Lattone.</p> <p>The part of the Rural District of Lisnaskea which consists of the district electoral divisions of Aghakillymaud, Aghyoule, Armagh Manor, Clonkeelan, Coolnamarrow, Crum, Derrylea, Derrysteaton, Drummully, Drumshimuck, Kilmore, Magheraveely, Mullynagowan, Newtownbutler, and Springtown.</p> |                                         |

PARLIAMENTARY COUNTIES—continued.

| Name of Parliamentary County. | Contents of Parliamentary County.                                                                                                                   | Total Number of Members for Parliamentary County. | Names of Divisions of Parliamentary County. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Londonderry                   | The Administrative County of Londonderry except so much thereof as is included in the Parliamentary Borough of Londonderry constituted by this Act. | Three                                             | Mid Londonderry                             | <p>The part of the Rural District of Coleraine which consists of the district electoral divisions of Glenties, Slaght and The Grove.</p> <p>The part of the Rural District of Limavady which consists of the district electoral divisions of Ballyharigan, Drum, Drumlaighland, Dungiven, Faughanvale, Feeny, Fore Glen, Gelvin, Glenshane, Killywool, Owenreagh, Scriggan and Straw.</p> <p>The part of the Rural District of Londonderry which consists of the district electoral divisions of Ardmore, Ballmullins, Banagher, Bondsglen, Claudy and Tamnagherin.</p> <p>The part of the Rural District of Magherafelt which consists of the district electoral divisions of Banncran, Brackagh Slievegallion, Carnamoney, Draperstown, Iniscarn, Lissan Upper, Swatragh and Tullykeeran.</p> |
|                               |                                                                                                                                                     |                                                   | North Londonderry                           | <p>The part of the Rural District of Coleraine which consists of the district electoral divisions of Aghadowey, Agivey, Articlave, Ballylagan, Bannbrook, Downhill, Drumcroon, Knockantern, Letterloan, Portstewart, Ringsend and Somerset.</p> <p>The part of the Rural District of Limavady which consists of the district electoral divisions of Aghaloo, Ballykelly, Bellarena, Benone, Drumsurn, Fruithill, Keady, Lislane, Myroe and The Highlands.</p> <p>The Urban Districts of Coleraine, Limavady and Portstewart.</p>                                                                                                                                                                                                                                                                |
|                               |                                                                                                                                                     |                                                   | South Londonderry                           | <p>The part of the Rural District of Coleraine which consists of the district electoral divisions of Bovagh, Bovedy, Garvagh, Hervey Hill, Kilrea and Lislea.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                               |                                                                                                                                                     |                                                   |                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

[Ch. 5.] *House of Commons* [19 GEO. 5.]  
*(Method of Voting and Redistribution of Seats) Act*  
*(Northern Ireland), 1929.*

PARLIAMENTARY COUNTIES—*continued.*

| Name of Parliamentary County.    | Contents of Parliamentary County.    | Total Number of Members for Parliamentary County. | Names of Divisions of Parliamentary County. | Contents or Boundaries or Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------------|--------------------------------------|---------------------------------------------------|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Londonderry<br><i>continued.</i> |                                      |                                                   | South Londonderry<br><i>continued.</i>      | The part of the Rural District of Magherafelt which consists of the district electoral divisions of Aghaskin, Ballynease, Ballyronan, Bellaghy, Castledawson, Clady, Desertmartin, Gulladuff, Maghera, Magherafelt, Moneymore, Newbridge, Ringsend, Rocktown, Salterstown, The Loop, Tobermore and Upperland.                                                                                                                                                                                                                                                               |
| Tyrone                           | The Administrative County of Tyrone. | Five                                              | East Tyrone                                 | The part of the Rural District of Cookstown which consists of the district electoral divisions of Ballyclog, Coagh, Grange, Killycolpy, Mullanhoe, Munterevlin, Pomeroy, Stewartstown, The Sandholes and Tullaghoge.<br>The part of the Rural District of Dungannon which consists of the district electoral divisions of Altmore, Bush, Clonavaddy, Coalisland, Crossdermot, Donaghmore, Meenagh, Mountjoy and Newmills.<br>The Urban District of Cookstown.                                                                                                               |
|                                  |                                      |                                                   | Mid Tyrone                                  | The part of the Rural District of Clogher which consists of the district electoral divisions of Foremass and Newtownsaville.<br>The part of the Rural District of Cookstown which consists of the district electoral divisions of Beaghmore, Killeenan, Lissan Lower, Oaklands, Oritor and Slate Quarry.<br>The part of the Rural District of Omagh which consists of the district electoral divisions of Bancran, Beragh, Carrickmore, Creggah, Crockanboy, Dervaghroy, Fallagn Glenlark, Gortin, Loughmacrory, Maine, Mullaghslin, Omagh Rural, Sixmilecross and Sluggan. |

PARLIAMENTARY COUNTIES—*continued.*

| Name of Parliamentary County. | Contents of Parliamentary County. | Total Number of Members for Parliamentary County. | Names of Divisions of Parliamentary County. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-------------------------------|-----------------------------------|---------------------------------------------------|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Tyrone— <i>continued.</i>     |                                   |                                                   | Mid-Tyrone<br><i>continued.</i>             | The part of the Rural District of Strabane which consists of the district electoral divisions of Balix, Cranagh, Doorat, Lislea, Loughash, Plumbridge and Sperrin.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                               |                                   |                                                   | North Tyrone                                | <p>The part of the Rural District of Castlederg which consists of the district electoral divisions of Castlebane, Castlederg, Castlegore, Clare, Lisnacloon, Listymore and Magheracreggan.</p> <p>The part of the Rural District of Omagh which consists of the district electoral divisions of Castletown, Dunbreen, Mountjoy Forest East, Mountjoy Forest West and Moyle.</p> <p>The part of the Rural District of Strabane which consists of the district electoral divisions of Ardstraw, Ballyfatten, Ballymagorry, Baronscourt, Birnaghs, Bready, Camus, Carnkenny, Clady, Cullion, Douglas, Dunnamanagh, Edymore, Glenmornan, Glentimon, Killyclooney, Leckpatrick, Newtownstewart, Seein, Sion and Tullyard.</p> <p>The Urban District of Strabane.</p> |
|                               |                                   |                                                   | South Tyrone                                | <p>The part of the Rural District of Clogher which consists of the district electoral divisions of Aghintain, Augher, Aghnacloy Rural, Aghnacloy Urban, Ballagh, Ballygawley, Clogher, Cole, Cullamore, Errigal, Favor Royal, Fivemiletown, Killyfaddy and Tullyvar.</p> <p>The part of the Rural District of Dungannon which consists of the district electoral divisions of Aghnahoe, Benburb, Bernagh, Caledon, Castlecaulfield, Clonaneese, Granville, Killyman, Minterburn and Moy.</p> <p>The Urban District of Dungannon.</p>                                                                                                                                                                                                                            |

[Ch. 5.] *House of Commons* [19 GEO. 5.]  
*(Method of Voting and Redistribution of Seats) Act*  
*(Northern Ireland), 1929.*

PARLIAMENTARY COUNTIES—*continued.*

| Name of Parliamentary County. | Contents of Parliamentary County. | Total Number of Members for Parliamentary County. | Names of Divisions of Parliamentary County. | Contents or Boundaries of Divisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------------------------------|-----------------------------------|---------------------------------------------------|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Tyrone—<br><i>continued.</i>  |                                   |                                                   | West Tyrone                                 | <p>The part of the Rural District of Castlederg which consists of the district electoral divisions of Ardarver, Ballymongan, Clunahill, Corgary, Garvagh, Killen, Killeter, Kirlish and Longfield.</p> <p>The part of the Rural District of Omagh which consists of the district electoral divisions of Aghafad, Camderry, Corlea, Dromore, Drumharvey, Drumquin, Ecclesville, Edenderry, Fallaghearn, Fintona, Grenan, Kilskeery, Lifford, Loughmuck, Moorfield, Rahony, Seskinore, Tattymoyle and Trillick.</p> <p>The Urban District of Omagh.</p> |

PART III.  
UNIVERSITY CONSTITUENCY.

| Constituency.                           | Number of Members. |
|-----------------------------------------|--------------------|
| The Queen's University of Belfast - - - | Four.              |

SECOND SCHEDULE.

Section 8.

ENACTMENTS REPEALED.

| Session and Chapter or Date of Order. | Title or Short Title.                | Extent of Repeal.                                                                                                                                                                              |
|---------------------------------------|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10 & 11 Geo. 5, c. 67.                | The Government of Ireland Act, 1920. | Sub-section (3) of section fourteen from "except" to the end of the sub-section, save as respects elections for any university constituency where there are two or more members to be elected. |



ENACTMENTS REPEALED—*continued.*

A.D. 1929.

| Session and Chapter<br>or<br>Date of Order. | Title or Short Title.                                                                                                        | Extent of Repeal. |
|---------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 22nd April, 1921.                           | Order of His Majesty in Council entitled "the Election Laws Application (House of Commons of Northern Ireland) Order, 1921." | Articles 4 and 8. |
| 22nd April, 1921.                           | Order of His Majesty in Council entitled "the Irish Houses of Commons (Proportional Representation) Order, 1921."            | The whole Order.  |

CHAPTER 6.

An Act to amend the Midwives (Ireland) Act, 1918,  
 and to provide for the registration and inspection of nursing homes, and for purposes connected therewith.  
 [16th April, 1929].

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

PART I.

AMENDMENT OF THE MIDWIVES (IRELAND) ACT, 1918.

1. The following sub-section shall be substituted for sub-section (2) of section one of the Midwives (Ireland) Act, 1918 (in this Part of this Act referred to as "the principal Act") :—

"(2) If any person, being either a male person or a woman not certified under this Act, attends a woman in childbirth otherwise than under the

Amendment  
 of s. 1 (2) of  
 Midwives  
 (Ireland)  
 Act, 1918.  
 7 & 8 Geo. 5  
 c. 59.

A.D. 1929.

direction and personal supervision of a duly qualified medical practitioner, that person shall, unless he or she satisfies the court that the attention was given in a case of sudden or urgent necessity, be liable on summary conviction to a fine not exceeding ten pounds :

Provided that the provisions of this sub-section shall not apply in the case of a person who, while undergoing training with a view to becoming a duly qualified medical practitioner or a certified midwife, attends a woman in childbirth as part of a course of practical instruction in midwifery recognised by the General Medical Council or by the Joint Nursing and Midwives Council for Northern Ireland, if the attendance by that person is in accordance with the provisions regulating the course of study of midwifery as recognised by the General Medical Council or the rules relating to the training of midwives made by the said Joint Nursing and Midwives Council."

Amendments  
of s. 22 of  
principal  
Act.

2.—(1) Sub-section (1) of section twenty-two of the principal Act (which relates to medical assistance in case of emergency) shall have effect as if after the words "unless the patient is entitled to medical relief under section nine of the Poor Relief (Ireland) Act, 1851" there were inserted the words "and has obtained a ticket for medical attendance under the said section."

(2) Sub-section (2) of section twenty-two of the principal Act shall have effect as if at the end thereof there were added the words "and shall submit his claim within two months from the date on which he was called in."

(3) Subject to the sanction of the Ministry of Home Affairs, a local supervising authority within the meaning of the principal Act may make arrangements with any pregnant women in their area for the payment by such women to the authority, whether by instalments or not, of such sum as may be agreed to cover any liability which the authority may incur under section twenty-two of the principal Act in respect of fees payable to medical practitioners who may be called in by midwives in pursuance of that section, and sub-section (4) of that section

shall not apply in the case of any woman who has entered into such an arrangement and has duly paid the agreed sum.

A D. 1929  
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3.—(1) The Joint Nursing and Midwives Council for Northern Ireland (in this Act referred to as “the Joint Council”) may if they think fit cause the roll of midwives to be divided into two parts, of which one shall contain the names of all those practising midwives whose names have been supplied to the Joint Council by local supervising authorities in the month of January in each year in accordance with the provisions of section sixteen of the principal Act and shall be published annually, and the other shall contain the names of all other persons who are entitled to be on the roll and shall be published at such intervals, not exceeding five years, as the Minister of Home Affairs may determine.

Provisions  
as to  
midwives’  
roll.

(2) The Joint Council may, from time to time, by registered letter addressed to any woman whose name is included in the roll of midwives at her address as appearing therein inquire of her whether she has ceased practice or has changed her residence ; and if, within a period of six months from the sending of such a letter, no answer is received thereto, the Joint Council may erase the name of that woman from the roll and may cancel her certificate, but without prejudice to the power of the Joint Council subsequently to restore the name to the roll and to issue a certificate if it appears proper so to do.

4.—(1) The power of the Joint Council to frame rules under section five of the principal Act shall include, and shall be deemed always to have included, a power to frame a rule as to the wearing of badges by certified midwives, and if any such rule is made, sub-section (1) of section one of that Act shall have effect as if the words “or badge” were inserted therein after the word “description.”

Regulations  
as to badges.

(2) Section nine of the principal Act (which provides for the return by a midwife of her certificate when her name is removed from the roll in certain circumstances) shall apply to any badge issued to any person by virtue of the provisions of this section as it applies to the certificate of a midwife.

A.D. 1929.

\* ———  
 Fee payable  
 by midwives  
 certified  
 under  
 principal  
 Act on  
 reciprocal  
 terms.

5. Section eleven of the principal Act (which relates to reciprocal treatment of midwives certified in other parts of His Majesty's dominions) shall have effect as if for the words "on payment of the like fee as is payable in ordinary cases" there were substituted the words "on payment of such fee, not exceeding that which is payable in ordinary cases, as the Joint Nursing and Midwives Council for Northern Ireland may, with the approval of the Minister of Home Affairs, determine."

## PART II.

## REGISTRATION AND INSPECTION OF NURSING HOMES.

Registration  
 of nursing  
 homes.

6.—(1) If any person carries on a nursing home without being duly registered in respect thereof, he shall be guilty of an offence against this Part of this Act and shall in respect of each such offence be liable on summary conviction to a fine not exceeding fifty pounds or, in the case of a second or subsequent offence, to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds or to both such imprisonment and fine.

(2) Application for registration shall be made to the local authority in writing in the form prescribed by the Ministry of Home Affairs, and shall be accompanied by a fee of five shillings.

(3) Subject as provided in this Act, the local authority shall, on the receipt of an application for registration, register the applicant in respect of the nursing home named in the application and issue to him a certificate of registration :

Provided that the local authority may refuse to register the applicant if they are satisfied—

- (a) that he or any person employed by him at the home is not a fit person, whether by reason of age or otherwise, to carry on or to be employed at a nursing home of such a description as the nursing home named in the application ; or
- (b) that for reasons connected with situation, construction, accommodation, staffing or equipment, the home or any premises used in connection therewith are not fit to be used for a nursing home of such a description as the nursing home named in the application ; or

- (c) that the nursing home, or any premises used in connection therewith, are used or to be used for purposes which are in any way improper or undesirable in the case of a nursing home of such a description as the nursing home named in the application ; or
- (d) in the case of a nursing home (other than a maternity home) which was not in existence at the commencement of this Part of this Act, that the home is not under the charge of a person who is either a duly qualified medical practitioner or a qualified nurse and who is resident in the home, or that there is not a proper proportion of qualified nurses among the persons having the superintendence of or employed in the nursing of the patients in the home ; or
- (e) in the case of a nursing home (other than a maternity home) which was in existence at the commencement of this Part of this Act, that the nursing of the patients in the home is not under the superintendence of a qualified nurse who is resident in the home ; or
- (f) in the case of a maternity home which was not in existence at the commencement of this Part of this Act, that the person having the superintendence of the nursing of the patients in the home is not either a qualified nurse or a certified midwife, or that any person employed in attending any woman in the home in child-birth or in nursing any patient in the home is not either a duly qualified medical practitioner, a certified midwife or a pupil midwife ; or
- (g) in the case of a maternity home which was in existence at the commencement of this Part of this Act, that any person employed in attending any woman in the home in child-birth or in nursing any patient in the home is not either a duly qualified medical practitioner, a certified midwife or a pupil midwife.

A D. 1929.

For the purpose of the foregoing provisions a nursing home or maternity home shall not be deemed to be a home which was in existence at the commencement of this Part of this Act if, in the case of a home carried on at that date by an individual, it ceases to be carried on by that

A.D. 1920:

individual solely or, in the case of a home which was carried on at that date by a body corporate, it ceases to be under the charge of the individual under whose charge it was at that date.

(4) The certificate of registration issued in respect of a nursing home shall be kept affixed in a conspicuous place in the home, and if default is made in complying with the foregoing requirement the person carrying on the home shall be guilty of an offence against this Part of this Act.

Cancellation  
of registra-  
tion.

7. Subject as provided in this Part of this Act, a local authority may at any time cancel the registration of a person in respect of any nursing home on any ground which would entitle them to refuse an application for the registration of that person in respect of that home, or on the ground that that person has been convicted of an offence against this Part of this Act, or that any other person has been convicted of such an offence in respect of that home.

Notice of  
refusal or  
of cancella-  
tion of  
registration

8.—(1) Before making an order refusing an application for registration or an order cancelling any registration the local authority shall give to the applicant or to the person registered, as the case may be, not less than fourteen days' notice of their intention to make such an order, and every such notice shall state the grounds on which the local authority intend to make the order and shall contain an intimation that, if within fourteen days after the receipt of the notice the applicant or person registered informs the local authority in writing that he desires so to do, the authority will, before making the order, give him (in person or by a representative) an opportunity of showing cause why the order should not be made.

(2) If the local authority, after giving the applicant or the person registered (if under the provisions of the preceding sub-section he is entitled so to do) an opportunity of showing cause as aforesaid, decide to refuse the application for registration or to cancel the registration, they shall make an order to that effect and shall send a copy of the order by registered post to the applicant or the person registered.

(3) Any person aggrieved by an order refusing an application for registration or cancelling any registration may, within fourteen days after the date on which the copy of the order was sent to him, appeal against it to a court of summary jurisdiction, constituted of a resident magistrate, sitting alone or with other resident magistrates; and the decision of that court shall be final and effect shall be given thereto by the local authority.

A.D. 1929

The following provisions shall have effect with respect to any such appeal:—

- (a) Notice in writing of the appeal and of the grounds thereof shall be given by the appellant to the secretary or clerk of the local authority;
- (b) The court may make such order in the matter as it considers reasonable, and may award costs to be recoverable as costs in cases of a civil nature are recoverable under section twenty-two of the Petty Sessions (Ireland) Act, 1851.

14 & 15 Vict.,  
c. 93.

(4) No such order shall come into force until the expiration of fourteen days from the date on which it was made, or, where notice of appeal is given against it, until the appeal has been decided or withdrawn. Notice of the right of appeal shall be endorsed on any such order.

9.—(1) The Ministry of Home Affairs may make regulations—

Regulations.

- (a) with respect to the records to be kept of patients received into, of miscarriages occurring in, and of children born in, a nursing home, and of children born in a nursing home who are removed therefrom otherwise than into the care of any parent, guardian or relative;
- (b) as to notification of any death and the cause thereof occurring in a nursing home; and
- (c) for prescribing anything which under this Part of this Act is to be prescribed.

(2) Regulations made under this section shall be laid before both Houses of Parliament as soon as may be after they are made:

Provided that if an Address is presented to the Governor of Northern Ireland by either House within the statutory period next after any regulations are laid before such House praying that the regulations may be

A.D. 1929.

annulled, the regulations shall thenceforth be void, without prejudice to the validity of anything previously done thereunder.

For the purpose of this sub-section the expression "statutory period" means a period comprising five days at least on which the House in question has sat, but not being in any case shorter in duration than ten days, and days comprised in more than one session of Parliament may be reckoned for that purpose.

(3) Every person who contravenes or fails to comply with any of the provisions of regulations made under this section shall be guilty of an offence against this Part of this Act.

Inspection  
of nursing  
homes.

10.—(1) An officer duly authorised by the local authority may, subject to such regulations as may be made by the local authority with the approval of the Ministry of Home Affairs, and an officer duly authorised by the Ministry of Home Affairs may, at all reasonable times enter and inspect any premises which are used or which that officer has reasonable cause to believe to be used for the purposes of a nursing home and to inspect any records required to be kept in accordance with the provisions of this Part of this Act :

Provided that nothing in this Act shall be deemed to authorise any such officer to inspect any medical record relating to any patient in a nursing home.

(2) If any person refuses to allow any such officer to enter or inspect any such premises as aforesaid, or to inspect any such records as aforesaid, or obstructs any such officer in the execution of his powers under this section, he shall be guilty of an offence against this Part of this Act.

Penalty for  
offences  
against  
Part II. of  
Act and  
provision  
as to offences  
by com-  
panies.

11.—(1) If any person is guilty of an offence against this Part of this Act (other than an offence in respect of which some other penalty is specifically provided by this Part of this Act) he shall in respect of each offence be liable on summary conviction to a fine not exceeding five pounds, and, in the case of a continuing offence, to a further fine not exceeding two pounds in respect of each day on which the offence continues after conviction.

(2) Where a person convicted of an offence against this Part of this Act is a company, the chairman and



every director of the company and every officer of the company concerned in the management thereof shall be guilty of the like offence, unless he proves that the act constituting the offence took place without his knowledge or consent.

A.D. 1929.

—

12.—(1) For the purposes of this Part of this Act the council of every county as respects that county, and the council of every county borough as respects that borough, shall be the local authority.

Local  
authority  
for Part II  
of Act.

(2) Any expenses incurred under this Part of this Act by the local authority shall be defrayed—

- (a) in the case of the council of a county, out of the county fund as a county at large charge ;
- (b) in the case of the council of a county borough, out of any rate or fund applicable to the purposes of the Public Health (Ireland) Acts, 1878 to 1918.

(3) Any fees received by the council of a county under this Part of this Act shall be paid into the county fund, and any fees so received by the council of a county borough shall be paid into the fund applicable to the purposes of the said Public Health (Ireland) Acts.

### PART III.

#### SUPPLEMENTAL.

13.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

Interpreta-  
tion.

“Register” and “Registration” mean register and registration under Part II of this Act :

“Nursing home” means any premises used and intended to be used for the reception of and the providing of nursing for persons suffering from any sickness, injury, or infirmity, and includes a maternity home, but does not include—

- (i) any hospital or other premises maintained or controlled by a Government department, local authority, sanitary authority or board of guardians, or by any other body of persons constituted by special Act of Parliament or incorporated by Royal Charter ; or

A.D. 1929.

(ii) any asylum or other house or institution for the reception of lunatics which is subject to inspection under the Lunacy (Ireland) Acts, 1821 to 1901 :

“ Maternity home ” means any premises used and intended to be used for the reception of pregnant women or of women immediately after childbirth :

9 & 10 Geo. 5,  
c. 96.

“ Qualified nurse ” means a person registered in the general part of the register of nurses required to be kept under the Nurses Registration (Ireland) Act, 1919, or a person who had before the commencement of Part II. of this Act completed a three years' course of training in a hospital which was during the period of her training, or subsequently became, a training school approved by the Joint Council, or the General Nursing Council for England and Wales, or the General Nursing Council for Scotland, for the purpose of admission to the general part of the said register :

“ Pupil midwife ” means a person who is undergoing training with a view to becoming a certified midwife, and for that purpose attending women in childbirth as part of a course of practical instruction in midwifery recognised by the Joint Council :

6 & 7 Will. 4,  
c. 13.  
12 & 13 Geo. 5,  
c. 8.

“ Resident magistrate ” means a magistrate appointed under the Constabulary (Ireland) Act, 1836, as amended by section six of the Constabulary Act (Northern Ireland), 1922.

(2) In relation to any premises used or intended to be used solely for the reception of, and the provision of nursing for, a class of patients in whose case the requisite nursing can be suitably and adequately provided by nurses of a class whose names are contained in some part of the register of nurses required to be kept under the Nurses Registration (Ireland) Act, 1919, other than the general part of that register, references in the definition of “ qualified nurse ” contained in sub-section (1) of this section to the general part of the register shall be construed as including references to that other part of the register.

(3) References in this Act to enactments of the Parliament of the United Kingdom shall be construed as references to those enactments as they apply in Northern Ireland.

A.D. 1929.

14.—(1) This Act may be cited as the Midwives and Nursing Homes Act (*Northern Ireland*), 1929.

Short title  
and com-  
mencement.

(2) The provisions of Part II. of this Act shall come into operation on such day as may be appointed by the Minister of Home Affairs, and that Minister may appoint different days for the coming into operation of those provisions as respects different counties and county boroughs.

(3) Save as aforesaid, this Act shall come into operation on the passing thereof.

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## CHAPTER 7.

An Act to amend sub-section (2) of section eighteen of the Unemployment Insurance Act (*Northern Ireland*), 1928, by extending to twenty-four months the period of twelve months therein mentioned. [16th April, 1929].

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :

1. Sub-section (2) of section eighteen of the Unemployment Insurance Act (*Northern Ireland*), 1928 (which provides that an insured contributor who proves certain matters within a period of twelve months from the commencement of that Act shall be treated as if he had proved that the first statutory condition was fulfilled in his case, and shall continue to be so treated throughout any benefit year which is current in or commences within the said period) shall have effect as if the words "twenty-four months" were substituted for the words "twelve months" in both places where those words occur in the said sub-section.

Amendment  
of s. 18 (2) of  
18&19Geo.5,  
c. 3.

**A.D. 1929.**

**Short title.**

2. This Act may be cited as the Unemployment Insurance (Transitional Provisions Amendment) Act (Northern Ireland), 1929, and the Unemployment Insurance Acts (Northern Ireland), 1920 to 1928, and this Act may be cited together as the Unemployment Insurance Acts (Northern Ireland), 1920 to 1929.

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## CHAPTER 8.

An Act to amend the Petroleum Acts, 1871 and 1879, and other enactments relating to petroleum, in their application to Northern Ireland.  
 [16th April, 1929.]

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

**Amendment  
 of  
 34 & 35 Vict.,  
 c. 105, s. 2.**

1. For the definitions of the terms “harbour” and “harbour authority” contained in section two of the Petroleum Act, 1871, there shall be substituted the following definitions :—

The term “harbour” means any harbour, whether natural or artificial, and any port, haven, estuary, tidal or other river, canal or inland navigation navigated by seagoing ships and, subject to the provisions of this Act, any dock :

The term “harbour authority” means any person or body of persons in whom are vested by or under any Act of Parliament powers and duties of improving, maintaining or managing a harbour, so, however, that where, as respects any dock within a harbour, such powers and duties are separately vested by or under any Act of Parliament in any person or body of persons, that person or body shall as respects that dock be the harbour authority and the dock shall be deemed to be a separate harbour :

The term "dock" includes any pier, jetty or other place in or at which ships can ship or unship goods or passengers.

A.D. 1929.

2.—(1) Section three of the Petroleum Act, 1871, shall cease to have effect, and that Act shall have effect as if the expression "petroleum-spirit" were therein substituted for the expression "petroleum to which this Act applies" wherever that expression occurs.

Definition of "petroleum" and "petroleum-spirit." 34 & 35 Vict c 105.

(2) For the purposes of the Petroleum Acts, 1871, and 1879, and of this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

"petroleum" includes crude petroleum, oil made from petroleum, or from coal, shale, peat or other bituminous substances, and other products of petroleum; and

"petroleum-spirit" means such petroleum as when tested in the manner set forth in the First Schedule to this Act gives off an inflammable vapour at a temperature of less than seventy-three degrees Fahrenheit.

3. Apparatus for testing petroleum stamped in accordance with the provisions of section three of the Petroleum Act, 1879, shall not be deemed to have been verified under that section unless—

Amendment as to verification and stamping of testing apparatus. 42 & 43 Vict., c. 47.

(a) it has been stamped, either by the Board of Trade or by the Ministry of Commerce, within ten years; and

(b) no part of the apparatus has been materially altered, repaired, or replaced since the apparatus was last stamped.

4. Subject as hereinafter provided, the provisions contained in the First Schedule to this Act shall have effect in lieu of the provisions contained in the First Schedule to the Petroleum Act, 1879 (which relate to the manner of testing petroleum), and references in the Petroleum Acts, 1871 and 1879, to the First Schedule to those Acts respectively shall be construed as references to the First Schedule to this Act:

Amendment as to manner of testing of petroleum

A.D. 1929.

Provided that—

- (a) apparatus made in accordance with the specification contained in the First Schedule to the Petroleum Act, 1879, may be verified and stamped by the Ministry of Commerce in accordance with the provisions of section three of that Act as originally enacted, so, however, that no such apparatus shall be so verified and stamped after the expiration of a period of two years from the commencement of this Act unless it has been previously verified and stamped before the expiration of that period; and
- (b) petroleum tested in manner provided by Part II. of the First Schedule to this Act by means of apparatus made in accordance with the specification contained in the First Schedule to the Petroleum Act, 1879, which has been verified and stamped by the Board of Trade or Ministry of Commerce, shall, subject to the provisions of this Act relating to the verification and stamping of apparatus, be deemed to have been tested in the manner set forth in the First Schedule to this Act.

Extension of  
34 & 35 Vict.  
c. 105,  
ss. 11 & 12,  
to persons  
keeping  
petroleum  
for the  
purposes of  
trade or  
industry.

5. Section eleven of the Petroleum Act, 1871 (which empowers an officer of the local authority to purchase petroleum from any dealer in it, to require the dealer to show him any place or vessel in which petroleum in his possession is kept and give him samples of such petroleum, and to cause any samples so taken to be tested and any petroleum which is found to be petroleum-spirit to be certified as such), and section twelve of the said Act (which imposes penalties on a dealer who refuses to comply with any such requirement as aforesaid or who fails to give assistance to or obstructs any such officer or the local authority), shall apply with respect to any person who keeps petroleum for the purposes of any trade or industry carried on by him, as those sections apply with respect to a dealer in petroleum, and accordingly references in each of the said sections to a "dealer" shall be construed to include references to any person who keeps petroleum for such purposes as aforesaid.

6.—(1) The byelaws as to ships carrying petroleum required to be made and confirmed under section four of the Petroleum Act, 1871, shall include byelaws as to the loading of ships with petroleum-spirit and generally as to the precautions to be observed with respect to ships carrying petroleum-spirit whilst in harbour.

A.D. 1929

Byelaws as to the loading and carriage of petroleum-spirit in ships.

(2) Until byelaws made under the said section four as amended by this section come into force, any byelaws in force at the commencement of this Act with respect to the landing of petroleum-spirit shall, so far as applicable, apply with the necessary modifications to the loading of ships with petroleum-spirit.

(3) In the event of a failure to comply with or of a contravention of the requirements of any byelaw in force under the said section four as amended by this section, the owner and master of any ship in or in relation to which the failure or contravention occurs, and, except in the case of a failure or contravention in respect of the mooring of a ship, the owner of any petroleum-spirit in respect of which the failure or contravention occurs, shall each be guilty of an offence under this section and shall be liable, on summary conviction thereof, to a fine not exceeding fifty pounds for every day on which the offence is committed or continued:

Provided that it shall be a good defence to proceedings for an offence under this section to prove—

- (a) if the proceedings are against the owner or master of a ship for an offence in respect of the loading or landing of petroleum-spirit, that all reasonable means were taken by the master to prevent the commission of the offence, and that the offence was not caused or facilitated by any act or neglect on the part of the owner or of any person engaged or employed by the owner or master; and
- (b) if the proceedings are against the owner of petroleum-spirit for an offence in respect of the loading or landing thereof, or in respect of any failure to observe precautions required to be observed with respect to ships carrying petroleum-spirit whilst in harbour, that the offence was not caused or facilitated by any act or neglect on his part or on the part of any person engaged or employed by him.

A.D. 1929.

(4) If it appears to a harbour master or to any person acting under the orders of a harbour authority that any ship or any petroleum-spirit is in a place in which it ought not, in accordance with any such byelaws as aforesaid, to be, he may cause it to be removed so as to be in conformity with the byelaws, and all expenses incurred by the harbour authority in connection with any such removal may be recovered summarily or in the county court as a debt due from the owner of the ship or of the petroleum-spirit, as the case may be.

Penalties  
for contra-  
vention of  
34 & 35 Vict.  
c. 105, ss. 6  
and 7.

7.—(1) Any person who keeps, sends, conveys, sells or exposes or offers for sale any petroleum-spirit in contravention of section six of the Petroleum Act, 1871, shall for each offence be liable on summary conviction to a fine not exceeding five pounds.

(2) The occupier of any premises in which petroleum-spirit is kept in contravention of section seven of the Petroleum Act, 1871, shall be liable on summary conviction to a fine not exceeding twenty pounds for each day on which the contravention occurs or continues.

(3) A court before whom any person is convicted in respect of a contravention of the provisions of section six or seven of the Petroleum Act, 1871, may order that the petroleum-spirit in respect of which the contravention has occurred, and any vessel in which it is contained, be forfeited or otherwise dealt with in such manner as the court thinks fit.

Provisions  
as to  
conditions  
attached to  
licences.

8.—(1) If any person to whom a licence is granted under the Petroleum Act, 1871, contravenes any condition of the licence he shall be liable on summary conviction to a fine not exceeding twenty pounds for each day on which the contravention occurs or continues.

(2) Where conditions to be observed by persons employed are attached to any licence granted under the Petroleum Act, 1871, the occupier of the premises to which the licence relates shall cause to be kept posted on the premises in such form and in such position as to be easily read by the persons employed on the premises a notice setting out those conditions, and—

(a) if the occupier of any premises fails to comply with the foregoing requirements of this subsection he shall be liable on summary conviction



to a fine not exceeding five pounds for each day on which the failure occurs or continues ; and

A.D. 1929.

- (b) if any person pulls down, injures or defaces any notice posted in accordance with the requirements of this sub-section he shall be liable on summary conviction to a fine not exceeding five pounds ; and
- (c) if any person employed contravenes any condition of which notice has been given in accordance with the requirements of this sub-section he shall be liable on summary conviction to a fine not exceeding five pounds.

9. In respect of every licence granted by a local authority under section seven or by the Minister of Home Affairs for Northern Ireland under section ten of the Petroleum Act, 1871, fees shall be payable by the person to whom the licence is granted to the local authority or to the said Minister, as the case may be, at the rates shown in the scale set out in the Second Schedule to this Act, or such lower scale as the said Minister may with the consent of the Ministry of Finance prescribe by regulations.

Fees payable  
for licences.

10. The provisions of the Explosives Act, 1875, set out in the Third Schedule to this Act with the modifications necessary for their application to petroleum-spirit, and with modification in matters of minor detail, are as so set out hereby incorporated with this Act.

Application  
of certain  
provisions  
of 38 & 39  
Vict., c. 17.

11. Section five of the Locomotives on Highways Act, 1896 (which provides for the making of regulations as to the keeping and use of petroleum or of any other inflammable liquid or fuel for the purpose of light locomotives) shall cease to have effect and the following provisions shall have effect in lieu thereof :—

Repeal and  
re-enact-  
ment with  
amendment  
of 59 & 60  
Vict., c. 36,  
s. 5.

“(1) The Minister of Home Affairs for Northern Ireland may make regulations as to the keeping and use of petroleum-spirit by persons intending to use it for the purpose of any class of motor vehicles, motor boats, aircraft, or engines specified in the regulations, and any such regulations may exempt the keeping and use of petroleum-spirit by persons intending to use it for the purpose of any such class as aforesaid to which the regulations apply from

A.D. 1920.  
—

the operation of any of the provisions of the Petroleum Acts (*Northern Ireland*), 1871 to 1929, relating to byelaws as to ships carrying petroleum-spirit, and as to the loading, conveyance, and landing of such spirit in and upon canals, notices by the owner or master of ships carrying petroleum-spirit, labels on vessels containing petroleum-spirit, licences for keeping petroleum-spirit, and regulations as to the conveyance of petroleum-spirit by road.

“(2) If any person contravenes or attempts to contravene any regulation made under this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds for each day on which the offence occurs or continues, and the court before whom any person is convicted under this sub-section may order that the petroleum-spirit in respect of which the offence was committed, and any vessel in which it is contained, be forfeited or otherwise dealt with in such manner as the court thinks fit.”

Regulations  
as to classes  
of petroleum  
likely to be  
dangerous or  
injurious to  
health

12.—(1) If the Minister of Home Affairs for *Northern Ireland* is satisfied that any class of petroleum-spirit is, by reason of the nature thereof or of any substance mixed therewith, likely to be dangerous or injurious to health either generally or in the case of any class of persons, he may make such regulations as appear to him to be reasonably practicable and to meet the necessity of the case, and in particular—

- (a) for requiring the observance of such precautions as may be prescribed for the protection of persons employed or engaged in handling or using petroleum-spirit of that class in connection with any trade or business ;
- (b) for requiring persons selling to the public petroleum-spirit of that class to give, in such manner as may be prescribed, warning to purchasers of petroleum-spirit of that class as to the dangers thereof and the precautions to be observed with respect thereto ;
- (c) for prohibiting the sale or use of petroleum-spirit which he may by order declare to be so dangerous or injurious to health that precautions for the protection of persons employed

or engaged in handling or using such petroleum-spirit are impracticable ;

A.D. 1929.

- (d) for the publication and supply of copies of the regulations ;
- (e) for the enforcement of the regulations in any area by the local authority empowered under the Petroleum Act, 1871 (as amended by this Act) to grant petroleum-spirit licences in that area.

(2) If any person contravenes or attempts to contravene any regulation made under this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds for each day on which the offence occurs or continues, and the court before whom any person is convicted under this sub-section may order that the petroleum-spirit in respect of which the offence was committed, and any vessel in which it is contained, be forfeited or otherwise dealt with in such manner as the court thinks fit.

13. All regulations made by the Minister of Home Affairs for Northern Ireland under this Act shall be laid before each House of Parliament as soon as may be after they are made, and, if an Address is presented to the Governor of Northern Ireland by either House of Parliament within the statutory period next after any such regulation is laid before it, praying that the regulation may be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder or to the making of any new regulation.

Laying of  
regulations  
before  
Parliament.

14.—(1) For the purpose of preserving for the enjoyment of the public the amenities of any rural scenery or of any place of beauty or historic interest or of any public park or pleasure promenade, or of any street or place which is of interest by reason of its picturesque character, the council of any county, county borough, borough or urban district may make byelaws—

Byelaws as  
to petroleum  
filling  
stations.

- (a) regulating the appearance of petroleum filling stations ; or
- (b) prohibiting the establishment of petroleum filling stations

in any part of their area to which the byelaws apply, and, without prejudice to the generality of the foregoing pro-

A D. 1929.

visions, any such byelaws regulating the appearance of petroleum filling stations may, in particular, require compliance with such provisions as may be contained in the byelaws as to the position, design, size, colour and screening of petroleum filling stations or of any parts thereof:

Provided that—

- (i) no byelaws made under this section by the council of any county shall have effect in any borough or urban district within the county; and
- (ii) nothing in any byelaws regulating the appearance of petroleum filling stations shall prevent the use in any place to which the byelaws apply of any pump or other apparatus approved for use in such places by the Minister of Home Affairs, and in making any such byelaws a council shall make provision for exempting any petroleum filling station established at the time of the making of the byelaws from any restrictions requiring structural alterations for such period not being less than two years from that time as they may think fit; and
- (iii) in making any byelaws prohibiting the establishment of petroleum filling stations a council shall have regard to the need for reasonable facilities for the supply of petroleum in or near the part of their area to which the byelaws apply.

(2) Any part of the area of a council to which byelaws or a draft of any byelaws made under this section apply shall be distinctly marked and shown on plans to be signed by and deposited with the secretary or clerk of the council making the byelaws, and the said plans shall be at all reasonable times thereafter open for the inspection of the public without charge.

(3) The provisions of sections two hundred and nineteen to two hundred and twenty-three, inclusive, of the Public Health (Ireland) Act, 1878, shall apply with respect to byelaws made by any council under this section:

Provided that such byelaws may be confirmed by the Ministry of Home Affairs with such modifications as

that Ministry thinks fit to make therein, and shall have effect as so confirmed.

A.D. 1929.

(4) Where byelaws made under this section are in force prohibiting the establishment of petroleum filling stations in any part of the area of a council, the council may, with a view to securing the removal of all such stations from that part of their area, serve upon every occupier of a petroleum filling station established therein before the date on which the byelaws came into force a notice requiring him to remove it within such period, not being less than six months after the service of the notice, as may be specified in the notice, and any such notice may be addressed to "the occupier" without further name or description, and may be served either by delivering it or leaving it at, or by sending it by post as a registered letter to, the usual or last known place of abode of the occupier, or if his place of abode is not known, by fixing it on some conspicuous part of the petroleum filling station :

Provided that any person upon whom such a notice is served shall be entitled to recover from the council by whom it was served any expenses reasonably incurred by him in carrying out the directions contained in the notice, and shall, if he makes a claim within twelve months after the service of the notice, be entitled to recover from the council compensation for any loss sustained by him in direct consequence of the requirements of the notice, and any question in dispute as to whether compensation is payable under this sub-section or as to the amount of any compensation so payable shall be decided by the county court having jurisdiction where the petroleum filling station is situate, and a county court shall have jurisdiction to deal with any such question, notwithstanding that, by reason of the amount of the claim or otherwise, the case would not, but for this provision, be within the jurisdiction of a county court.

(5) The occupier of any premises used or intended to be used as a petroleum filling station shall have power, notwithstanding anything in any conveyance or in any lease or other agreement, to do all such things as may be necessary for complying with the requirements of any byelaw made or notice served under this section ; and where a notice has been served upon any person under this section the council by whom the notice was served

A.D. 1929.

may, with his consent, do on his behalf anything necessary for complying with the requirements of the notice.

(6) If any person contravenes any byelaw made or notice served under this section he shall be liable on summary conviction to a fine not exceeding twenty pounds for each day on which the contravention occurs or continues, and if, after any person has been so convicted in respect of a contravention of any byelaw made under this section prohibiting the establishment of petroleum filling stations or in respect of a contravention of any notice served under this section requiring the removal of any such station, the petroleum filling station is not removed within such time as the court may allow, the council by whom the byelaw was made or the notice served shall have power to do all such acts as may be necessary for the removal thereof, and any expenses incurred by a council in removing any petroleum filling station established in contravention of any such byelaw as aforesaid shall be recoverable by the council summarily or in the county court as a debt due from the person convicted.

(7) Any expenses incurred by a council under this section shall be defrayed as expenses incurred by the council in exercise of their powers in relation to roads or streets.

Byelaws as to loading, conveyance and landing of petroleum spirit in and upon canals.

15.—(1) Every canal company shall have power to make byelaws regulating the loading, conveyance and landing of petroleum-spirit in and upon the canal under their jurisdiction, and as to the precautions to be observed with respect thereto, and as to the due enforcement of the byelaws.

(2) No byelaws made under this section shall come into force until confirmed by the Ministry of Commerce, and before submitting any such byelaws to the said Ministry, the canal company shall, in such manner as may be directed by the said Ministry, publish a draft thereof together with notice of their intention to apply for the confirmation of the byelaws.

(3) The Ministry of Commerce may confirm any byelaws submitted to it under this section with or without any modifications, and any byelaws so confirmed by the said Ministry shall be published by the canal company in

such manner as the said Ministry may direct, and shall have effect as so confirmed.

A.D. 1929.

(4) If any person contravenes or attempts to contravene any byelaw made under this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds for each day on which the offence occurs or continues.

(5) Section forty of the *Railway and Canal Traffic Act, 1888* (which makes provision as to the byelaws of canal companies) shall not apply to byelaws made under this section.

51 & 52 Vict.,  
c. 25.

**16.**—(1) The Governor of Northern Ireland may by Order in Council apply to any substance any of the provisions of the *Petroleum Acts, 1871 and 1879*, or this Act, specified in the Order, with such modifications, if any, as may seem to the said Governor to be desirable having regard to the nature of the substance to which the Order relates.

Amendment  
as to Orders  
in Council  
applying  
*Petroleum*  
Acts to  
other  
substances.

(2) While any Order in Council relating to any substance is in force under this section, the provisions of the enactments thereby applied shall have effect as if the substance were included in the definition of petroleum-spirit, but subject to such modifications, if any, as may be provided by the Order.

(3) Any Order in Council made under this section may be varied or revoked by any subsequent Order.

(4) Section fourteen of the *Petroleum Act, 1871*, shall cease to have effect, but without prejudice to the operation of any Order in Council made under that section and in force in Northern Ireland at the date of the passing of this Act.

**17.** The *Petroleum Acts, 1871 and 1879*, shall, in their application to Northern Ireland, have effect subject to the following amendments:—

Adminis-  
trative  
provisions,

(a) References in the said Acts (as originally enacted) to the Lord Lieutenant shall be construed as references to the Minister of Home Affairs for Northern Ireland;

(b) References in the said Acts (as originally enacted) to the Board of Trade shall be construed as references to the Ministry of Commerce;

**A D. 1929.**

- (c) The local authority empowered under the said Acts to grant petroleum-spirit licences shall be, as respects any county, county borough, borough or urban district, the council thereof ; provided that—
- (i) as respects a borough or urban district, the council thereof shall be the local authority for the purpose of granting petroleum-spirit licences to the exclusion of the council of the county within which that borough or district is comprised ;
  - (ii) in any harbour within the jurisdiction of a harbour authority, whether situate or not within the jurisdiction of any local authority hereinbefore mentioned, the harbour authority shall be the local authority for granting petroleum-spirit licences to the exclusion of any other local authority :
  - (iii) nothing in this provision shall affect any licence granted before the passing of this Act under section eight of the Petroleum Act, 1871, by any justices in petty sessions or by the commissioners of a town not being an urban district, but any such licence shall continue in force, and be subject to the provisions of the said Acts, in like manner as if it had been granted by the local authority hereinbefore mentioned.

**Interpreta-  
tion.**

**18.** In this Act and for the purposes of the Petroleum Acts, 1871 and 1879, the following expressions have the meanings hereby respectively assigned to them, that is to say :—

“Amenities,” in relation to any place, includes any view of or from that place :

“Canal ” and “canal company ” have respectively the same meanings as in the Regulation of Railways Act, 1873 :

“Contravention ” includes, in relation to any provision, a failure to comply with that provision, and the expression “contravene ” shall be construed accordingly :

36 & 37Vict.,  
c. 48.



“Motor vehicles” includes all mechanically propelled vehicles intended or adapted for use on roads :

A.D. 1929.

“Petroleum filling station” means any premises or place used or intended to be used by way of trade or for purposes of gain for fuelling motor vehicles with petroleum, and includes any building, advertisement, pump, or other apparatus in or used in connection with any such premises :

“Statutory period” means a period comprising five days at least on which the House of Commons or the Senate (as the case may require) has sat, but not being in any case shorter in duration than ten days, such days being reckoned without regard to the question whether they are comprised in one or in more than one session of Parliament.

**19.** The amendments in the second column of the Fourth Schedule to this Act (which relate to matters of minor detail) shall be made in the enactments specified in the first column of that Schedule.

**Minor  
amendments.**

**20.—(1)** This Act may be cited as the Petroleum (Amendment) Act (Northern Ireland), 1929, and the Petroleum Acts, 1871 and 1879, and this Act may be cited together as the Petroleum Acts (Northern Ireland), 1871 to 1929.

**Short title,  
citation,  
construc-  
tion and  
repeal.**

**(2)** Except where the context otherwise requires, references in this Act to the Petroleum Act, 1871, and the Petroleum Act, 1879, shall be construed as references to those Acts as amended by this Act, and this Act shall be construed as one with those Acts.

**(3)** References in this Act to enactments of the Parliament of the United Kingdom shall, unless the context otherwise requires, be construed as references to those enactments as they apply in Northern Ireland.

**(4)** The enactments set out in the Fifth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule :

Provided that any regulations made under section five of the Locomotives on Highways Act, 1896, shall

A.D. 1929

have effect as if made under section eleven of this Act, and in so far as any such regulations relate to any substances other than petroleum-spirit, the said section eleven shall be deemed to have been applied to that substance under section sixteen of this Act.

## SCHEDULES.

Sections 2  
and 4.

### FIRST SCHEDULE.

TEST APPARATUS TO BE USED AND MANNER OF TESTING PETROLEUM THEREWITH, SO AS TO ASCERTAIN THE TEMPERATURE AT WHICH IT WILL GIVE OFF INFLAMMABLE VAPOUR.

#### PART I.

#### SPECIFICATION OF THE TEST APPARATUS.

##### *General.*

The apparatus to be employed shall be the Abel Petroleum Testing Apparatus or the Abel apparatus modified by having an oil cup provided with a stirrer. It shall be constructed to the dimensions herein specified within the limits of accuracy prescribed by the tolerances set forth below.

##### *The Oil Cup.*

The oil cup consists of a cylindrical vessel open at the top and fitted on the outside with a flat circular flange projecting at right angles.

Within the cup, fixed through the wall and silver soldered or brazed in place, there is a gauge consisting of a piece of wire bent upwards and terminating in a point.

**Material :—**Brass or Gun-metal.

|                                                      | Dimension. | Tolerance. |
|------------------------------------------------------|------------|------------|
| Cup, wall and bottom thickness                       | 17 I.W.G.  | —          |
| „ internal diameter                                  | 2"         | ±0.05"     |
| „ internal depth                                     | 2.2"       | ±0.05"     |
| Flange, thickness                                    | 17 I.W.G.  | —          |
| „ width                                              | 0.5"       | ±0.05"     |
| „ distance of upper side from top edge of cup.       | 0.375"     | ±0.05"     |
| Gauge, thickness, not less than                      | 10 I.W.G.  | —          |
| „ distance of point from level of upper edge of cup. | 0.7"       | ±0.005"    |

*The Cover.*

A.D. 1929.

1st Sch  
—cont.

The cup is provided with a close-fitting cover with a downward projecting rim barely reaching the flange on the cup. The downward projecting rim is made solid with the top or silver soldered or brazed in place. Upon the cover are mounted a thermometer socket, trunnions to support an oil-test lamp, a pair of guides in which a slide moves, and a white bead. The top of the cover is pierced by three rectangular holes symmetrically placed on a diameter, one in the centre and the other two as close as practicable to the inner sides of the cover-rim and opposite each other. These three holes are covered or uncovered by means of a slide moving in suitably disposed guides. The slide has two perforations, one corresponding in all particulars to the centre hole in the cover and the other to one of the holes at the side. The movement of the slide is restricted by suitable stops, and its length and the disposition of the holes are such, that at the outer extremity of the movement of the slide, the holes in the cover are simultaneously just completely opened and at the inner extremity of the movement of the slide they are completely closed.

The trunnions supporting the test lamp are fixed on the top of the guides and the lamp is mounted in the trunnions so that it is free to oscillate. The lamp is provided with a jet to contain a wick and is so arranged that when the slide is moved so as to uncover the holes, the oscillating lamp is caught by a pin fixed in the slide and tilted over the central hole in such a way that the lower edge of the cover bisects the circle formed by the bore of the jet when in the lowest position. The flame then occupies a central position within the hole in both directions.

A suitably mounted gas-jet may be substituted for the lamp.

The thermometer socket is in the form of a split tube, mounted on a diameter at right angles to the diameter through the centres of the holes, and fitted at such an angle as to bring the bulb of the thermometer, when in place, vertically below the centre of the cover and at the correct distance from it.

A white bead, the dimensions of which represent the size of test flame to be used, is mounted in a visible position on the cover.

Materials:—All parts excepting bead:—brass or gun-metal.  
Bead:—ivory or other suitable material.

|                                                     | Dimension. | Tolerance.               |
|-----------------------------------------------------|------------|--------------------------|
| Cover. Thickness — — —                              | 0.05"      | +0.015"                  |
| „ Central hole, length (in direction of slide).     | 0.5"       | ±0.005"                  |
| „ width —                                           | 0.4"       | ±0.005"                  |
| „ Peripheral holes, length (in direction of slide). | 0.2"       | ±0.005"                  |
| „ width —                                           | 0.3"       | ±0.005"                  |
| Slide. Thickness — —                                | 20 I.W.G.  | —                        |
| „ Width of upper surface —                          | 0.5"       | +0.01"<br>(excess only). |

A.D. 1929.

1st Sess.  
—cont.

| —                    |                                                                                          |   | Dimension.    | Tolerance.                                                    |
|----------------------|------------------------------------------------------------------------------------------|---|---------------|---------------------------------------------------------------|
| Lamp.                | Overall length of jet                                                                    | — | Approx. 0.6"  | To suit the requirements for the position of jet when tilted. |
| „                    | Bore of jet at end                                                                       | — | 0.0625"       | ±0.005"                                                       |
| Bead.                | Diameter                                                                                 | — | 0.15"         | ±0.01"                                                        |
| Thermometer Socket : |                                                                                          |   |               |                                                               |
|                      | Internal diameter                                                                        | — | 0.6"          | ±0.01"                                                        |
|                      | Length of short side measured from under surface of cover.                               | — | Approx. 0.5"  | —                                                             |
|                      | Length of long side measured from under surface of cover.                                | — | Approx. 0.75" | —                                                             |
|                      | Distance of centre of socket from centre of cover measured on the under-side.            | — | Approx. 0.7"  | —                                                             |
|                      | These dimensions are subject to the correct placing of the thermometer when in position. |   |               |                                                               |
|                      | Vertical depth of lowest part of thermometer below centre of under-side of cover.        | — | 1.5"          | ±0.1"                                                         |

*Cover fitted with stirrer.*

Provision may be made in the cover for the reception of a stirrer which projects into the oil cup, for use with viscous materials only.

A bush is mounted on the cover in a position diametrically opposite the thermometer mounting and its length is such and it is set at such an angle that the stirrer rod clears the oil-level gauge and the blades operate below the level of and without fouling the thermometer bulb. The bush is placed as near as practicable to the outer edge of the cover.

The stirrer consists of a round stem having four blades or vanes silver soldered in place at one end. A collar is fixed on the stem so that when the stem is inserted into the bush from below, it is arrested at a position such that the correct length protrudes into the oil cup. The top end of the stem is reduced and screwed.

A long sleeve having an internally screwed, knurled knob soldered to its upper end, is passed over the upper end of the stem and screwed home. The length of the sleeve is such that a flat-faced collar at its lower end just comes into contact with the upper end of the bush, leaving the stirrer free to rotate without appreciable vertical play.

A flat-headed cylindrical plug is provided for insertion in the bush when the stirrer is not in use.

Material:—Brass or Gun-metal.

A.D. 1929.

1st Sch  
—cont.

|                    |                                                                                                 |                                                 |   | Dimension.                     | Tolerance. |
|--------------------|-------------------------------------------------------------------------------------------------|-------------------------------------------------|---|--------------------------------|------------|
| Stem.              | Length overall                                                                                  | —                                               | — | 4"                             | ±0.1"      |
| "                  | "                                                                                               | Lower end to point of attachment of blades.     | — | Approx. 0.1"                   | —          |
| "                  | "                                                                                               | Lower end to upper surface of collar.           | — | 1.9"                           | ±0.1"      |
| "                  | "                                                                                               | Upper surface of collar to lower end of thread. | — | 2"                             | ±0.1"      |
| "                  | "                                                                                               | Diameter of stem                                | — | Approx. 0.125"                 | —          |
| "                  | "                                                                                               | " of collar                                     | — | Approx. 0.25"                  | —          |
| "                  | Thread                                                                                          | —                                               | — | 7 B.A.                         | —          |
| Blades.            | Thickness                                                                                       | —                                               | — | 17 I.W.G.                      | —          |
| "                  | Length excluding root                                                                           | —                                               | — | 0.5"                           | ±0.01"     |
| "                  | Breadth (all corners of blades rounded).                                                        | —                                               | — | $\frac{5}{16}$ "<br>(0.3125"). | ±0.01"     |
| "                  | Blade angle                                                                                     | —                                               | — | Approx. 45°                    | —          |
| Sleeve.            | Length, to suit stem, giving free rotation with no appreciable vertical play when screwed home. | —                                               | — | —                              | —          |
| Diameter of bore   |                                                                                                 |                                                 |   | Sliding fit on stem.           | —          |
| Diameter of collar |                                                                                                 |                                                 |   | Approx. 0.25"                  | —          |

### *Heating Vessel.*

The heating vessel or bath consists of two flat-bottomed cylindrical copper vessels placed coaxially one inside the other and soldered at their tops to a flat copper ring, greater in outside diameter than the larger vessel and of smaller inside diameter than the smaller vessel. The space between the two vessels is thus totally enclosed and is used as a water jacket.

An ebonite or fibre ring of right-angle section is fitted into the hole in the centre of the flat ring forming the top of the bath and, when the apparatus is in use, the oil cup fits into, and its flange rests upon, this ebonite or fibre ring so that the oil cup is centrally disposed within the heating vessel. The ebonite or fibre ring is secured in place by means of six small screws having their heads sunk below the surface of the ring, to avoid metallic contact between the bath and the oil cup.

A split socket, similar to that on the cover of the oil cup, but set vertically, allows a thermometer to be inserted into the water-space. A funnel and overflow pipe also communicate with the water-space through the top plate and two loop handles are provided thereon.

A.D. 1929.

1st Sess.  
—cont.

|                                 | Dimension.                                                   | Tolerance. |
|---------------------------------|--------------------------------------------------------------|------------|
| Inner vessel :                  |                                                              |            |
| Thickness — — —                 | 24 I.W.G.                                                    | —          |
| Internal diameter — —           | 3"                                                           | ±0.05"     |
| Internal depth — —              | 2.5"                                                         | ±0.05"     |
| Outer vessel :                  |                                                              |            |
| Thickness, not less than — —    | 24 I.W.G.                                                    | —          |
| Internal diameter — —           | 5.5"                                                         | ±0.1"      |
| Internal depth — —              | 5.75"                                                        | ±0.1"      |
| Top plate :                     |                                                              |            |
| Thickness, not less than —      | 20 I.W.G.                                                    | —          |
| Outer flange projection —       | 0.375"                                                       | ±0.1"      |
| Diameter of central hole —      | To suit ebonite or fibre ring. Clearance not to exceed 0.1". | —          |
| Ebonite or fibre ring :         |                                                              |            |
| Internal diameter — —           | Easy fit on oil cup                                          | —          |
| External diameter of flange — — | 2.75"                                                        | ±0.02"     |
| Overall depth of spigot — —     | 0.25"                                                        | ±0.02"     |
| Thickness, flange and spigot —  | 0.08"                                                        | ±0.005"    |
| Screws, C.S. — —                | 8 B.A. × 0.15"                                               | —          |
| Thermometer socket :            |                                                              |            |
| Internal diameter — —           | 0.6"                                                         | ±0.01"     |
| Height from top of plate —      | 0.75"                                                        | ±0.05"     |

The bath rests upon a cast-iron tripod stand, to the ring of which is attached a cylindrical copper jacket not less than 24 I.W.G. flanged inwards at the top, and of such dimensions that the bath, while resting firmly on the iron ring, just touches with its outward projecting flange the inward-turned flange of the jacket. Two handles are provided on the outer jacket.

Diameter of the outer jacket 6.5 inches ± 0.1 inches.

#### *Spirit Lamp.*

A spirit lamp is provided for raising the temperature of the water bath, but any other means approved by the Ministry of Commerce may be employed for this purpose.

#### *Thermometers.*

Two thermometers are provided with the apparatus, the one for ascertaining the temperature of the bath, the other for determining the flashing point.

#### *Oil Cup Thermometer.*

Type — — Mercury in glass, nitrogen filled, graduated on the stem, enamel back.  
 Length — — Approximately 9 inches.  
 Stem — — Diameter 0.24 inches to 0.28 inches.  
 Bulb — — Spherical : made of a normal glass approved by the Ministry of Commerce.  
 Diameter, 0.35 inches ± 0.05 inches.

- Range** - 50 degrees Fahrenheit to 150 degrees Fahrenheit with expansion chamber. Distance from the bottom of the bulb to the 50 degree line 2.75 inches to 3.15 inches. Distance from the 50 degree line to the 150 degree line not less than 4.75 inches.
- Immersion** - A swelling is made in the stem to ensure that the thermometer shall be fixed in its brass collar so that the distance from the top of the collar to the bottom of the bulb is 2.4 inches  $\pm$  0.05 inches.
- Graduation** - Scale graduated in 1 degree Fahrenheit divisions. Every fifth degree and tenth degree to be indicated by longer lines. Figured at every tenth degree in full.
- Marking** - "Abel Oil Cup": Identification number: "Fahrenheit": Maker's or Vendor's name or trade mark.

A.D. 1929.  
1st Sch.  
--cont.

*Water Bath Thermometer.*

- Type** - Mercury in glass, nitrogen filled, graduated on the stem, enamel back.
- Length** - Approximately 9 inches.
- Stem** - Diameter, 0.24 inches to 0.28 inches.
- Bulb** - Cylindrical: made of a normal glass approved by the Ministry of Commerce. Length approximately 0.8 inches. Diameter not to exceed the diameter of the stem.
- Range** - 90 degrees Fahrenheit to 190 degrees Fahrenheit with expansion chamber. Distance from the bottom of the bulb to the 90 degree line 3.95 inches to 4.35 inches. Distance from the 90 degree line to the 190 degree line not less than 3.55 inches.
- Immersion** - A swelling is made in the stem to ensure that the thermometer shall be fixed in its brass collar so that the distance from the top of the collar to the bottom of the bulb is 3.5 inches  $\pm$  0.1 inches.
- Graduation** - Scale graduated in 1 degree Fahrenheit divisions. Every fifth degree and tenth degree to be indicated by longer lines. Figured at every tenth degree in full.
- Marking** - "Abel Water Bath": Identification number: "Fahrenheit": Maker's or Vendor's name or trade mark.

The brass collar of the thermometer is in each case of the following dimensions:—

- Outside diameter** - push fit in socket.
- Thickness of tube** - 22 I.W.G.
- Thickness of flange** - 0.1 inches.  $\pm$  0.001 inches.

*Note.*—A model apparatus is deposited at the Standards Department of the Board of Trade.

*Interpretation.*

In this Schedule "I.W.G." means the denominations of Standards approved by Order in Council made under the Weights and Measures Act, 1878, and dated the 23rd August, 1883, known as the "Imperial Wire Gauge."

A.D. 1929.

1st SCH.  
—cont.

## PART II

### *Method of applying the Flashing Test.*

1. The test apparatus shall be placed for use in a position where it is not exposed to currents of air or draughts.

2. The heating vessel or water-bath shall be filled by pouring water into the funnel until it begins to flow out at the spout of the vessel. The temperature of the water at the beginning of the test shall be 130 degrees Fahrenheit and no heat shall be applied to the water-bath during the test. When a test has been completed and it is desired to make another test, the water-bath shall be again raised to 130 degrees Fahrenheit, which may conveniently be done while the petroleum cup is being emptied, cooled and refilled with a fresh sample to be tested. The next test is then proceeded with.

3. If an oil test-lamp is being used it shall be prepared by fitting it with a piece of flat plaited candle-wick, and filling it with colza or rape-oil up to the lower edge of the opening of the spout or wick tube. The lamp shall be trimmed so that when lighted it gives a flame of about 0.15 of an inch diameter, and this size of flame, which is represented by the projecting white bead on the cover of the oil-cup, is readily maintained by simple manipulation from time to time with a small wire trimmer. A gas test-lamp may be employed, and if so, the size of the jet of flame shall be adjusted to the size laid down above.

4. The bath having been raised to the proper temperature, the cup shall be placed on a level surface in a good light and the oil to be tested shall be poured into it, until the level of the liquid just reaches the point of the gauge which is fixed in the cup. Before a test is begun the temperature of the oil shall be determined and shall be brought to approximately 60 degrees Fahrenheit. The cover, with the slide closed, shall then be put on to the cup and pressed down so that its edge rests on the rim of the cup, and the cup shall be placed into the bath or heating vessel, every care being taken to avoid wetting the sides of the cup with the oil. The thermometer in the lid of the cup has been adjusted so as to have the correct immersion when the brass collar of the thermometer is properly seated, and its position shall not in any circumstances be altered. When the cup has been placed in the proper position, the scale of the thermometer faces the operator.

5. The test-lamp shall then be placed in position upon the lid of the cup. When the temperature has reached 66 degrees Fahrenheit the operation of testing shall be begun, the test flame being applied once for every rise of one degree, in the following manner :—

The slide shall be slowly drawn open while a metronome, set so as to beat at the rate of 75 to 80 beats in the minute, beats three times and shall be closed during the fourth beat. A pendulum of 24 inches effective length may be used in place of the metronome, counting one beat from one extremity of the swing to the other.



SECOND SCHEDULE.

A.D. 1929.

RATES OF FEES PAYABLE IN RESPECT OF LICENCES TO KEEP

Section 9.

| PETROLEUM-SPIRIT.                                |   |   |   |        |   | Rate per annum of fees payable. |    |    |
|--------------------------------------------------|---|---|---|--------|---|---------------------------------|----|----|
| In respect of a licence to keep a quantity :—    |   |   |   |        |   | £                               | s. | d. |
| Not exceeding 100 gallons                        | — | — | — | —      | — | 0                               | 5  | 0  |
| Exceeding 100 gallons, not exceeding 500 gallons | — | — | — | —      | — | 0                               | 10 | 0  |
| " 500                                            | " | " | " | 1,000  | " | 0                               | 15 | 0  |
| " 1,000                                          | " | " | " | 5,000  | " | 1                               | 0  | 0  |
| " 5,000                                          | " | " | " | 10,000 | " | 2                               | 0  | 0  |
| " 10,000                                         | " | " | " | 20,000 | " | 3                               | 0  | 0  |
| " 20,000                                         | " | " | " | 50,000 | " | 4                               | 0  | 0  |
| Exceeding 50,000 gallons                         | — | — | — | —      | — | 5                               | 0  | 0  |

*Note.*—In the case of a solid substance for which by virtue of an Order in Council made under section fourteen of the Petroleum Act, 1871, or under section sixteen of this Act, a licence is required to be granted, the fee payable under this Schedule shall be calculated as if ten pounds weight of the substance were equivalent to one gallon.

THIRD SCHEDULE.

Section 10.

PROVISIONS OF EXPLOSIVES ACT, 1875, INCORPORATED WITH  
MODIFICATIONS.

1.—(1) The Minister of Home Affairs for Northern Ireland (in this Schedule referred to as "the Minister") may make regulations as to the conveyance of petroleum-spirit by road and for protecting persons or property from danger in connection with such conveyance, and in particular—

Regulations as to conveyance by road. (Explosives Act, 1875, s. 37.)

- (a) for regulating the description and construction of vehicles to be used in the conveyance of petroleum-spirit by road ;
- (b) for prohibiting or subjecting to conditions and restrictions the conveyance by road of petroleum-spirit with any explosive, or with any articles or substances, or in passenger vehicles ;
- (c) for prescribing the quantity of petroleum-spirit which may be conveyed at one time or in one vehicle ;
- (d) for prescribing the precautions to be observed in the conveyance of petroleum-spirit by road, and in loading and unloading vehicles used in such conveyance, and the time during which the petroleum-spirit may be kept during such conveyance, loading and unloading as aforesaid ;
- (e) for the publication and supply of copies of the regulations ;
- (f) for adapting, on good cause being shown, the regulations in force under this section to the circumstances of any particular locality ;
- (g) for the enforcement of the regulations in any area by the local authority empowered to grant petroleum-spirit licences in that area.

A.D. 1929.

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—cont.

(2) If any person contravenes or attempts to contravene any regulation made under this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds for each day on which the offence occurs or continues, and the court before whom any person is convicted under this sub-section may order that the petroleum-spirit in respect of which the offence was committed, and any vessel in which it is contained, be forfeited or otherwise dealt with in such manner as the court thinks fit.

Notice to be  
given of  
accidents.  
(Explosives  
Act, 1875,  
s. 63.)

2. Whenever any accident which occasions loss of life or personal injury occurs by explosion or by fire in or about or in connection with any licensed premises, the occupier of the premises shall, if the explosion or fire involved petroleum-spirit, forthwith send or cause to be sent to the Minister notice of the accident and of the loss of life or personal injury. A notice of any accident of which notice is sent in pursuance of this section need not be sent to any inspector of factories.

Where, in, about, or in connection with any ship or vehicle on which petroleum-spirit is being conveyed or loaded, or from which petroleum-spirit is being unloaded, any accident which occasions loss of life or personal injury occurs by explosion or by fire, the owner or master of the ship or vehicle shall, if the explosion or fire involved petroleum-spirit, forthwith send or cause to be sent to the Minister notice of the accident and of the loss of life or personal injury, but this provision shall not apply where the petroleum-spirit carried or loaded on, or unloaded from, the ship or vehicle is or was for use only on that ship or vehicle or in any case in which such notice as aforesaid is by law required to be sent to some Government department.

Every such occupier, owner, or master as aforesaid who fails to comply with any of the provisions of this section shall be liable on summary conviction to a fine not exceeding twenty pounds.

Inquiry into  
accidents  
and formal  
investigation  
of any  
serious case.  
(Explosives  
Act, 1875,  
s. 66.)

3. The Minister may direct an inquiry to be made by a Government inspector into the cause of any accident of which notice is required by this Act to be given to the Minister, and where it appears to the Minister either before or after the commencement of any such inquiry, that a more formal investigation of the accident, and of the causes and circumstances thereof, is expedient, the Minister may by order direct a formal investigation to be held, and with respect to inquiries and investigations made or held under this Act the following provisions shall have effect:—

- (a) The Minister may, by the same or any subsequent order, appoint any person or persons possessing legal or special knowledge to assist the Government inspector in holding a formal investigation, or may direct such county court judge, resident magistrate appointed under the Constabulary (Ireland) Act, 1836, or other person or persons as may be named in the order, to hold such an investigation with the assistance of a Government inspector or any other assessor or assessors named in the order;
- (b) The persons holding any formal investigation (in this section referred to as “the court”) shall hold it in open court in such manner and under such conditions as they may think most effectual for ascertaining the causes and circumstances

of the accident, and for enabling them to make the report in this section mentioned ;

- (c) The court shall have for the purpose of the investigation all the powers of a court of summary jurisdiction when acting as a court in hearing informations for offences against this Act, and shall have all the powers of a Government inspector under this Act, and in addition the following powers, namely :—

(i) They may enter and inspect any place or building the entry or inspection whereof appears to them requisite for the said purpose ;

(ii) They may by summons under their hands require the attendance of all such persons as they think fit to call before them and examine for the said purpose, and may for the said purpose require to be furnished to them answers or returns to such inquiries as they think fit to make ;

(iii) They may require the production of all books, papers, and documents which they consider important for the said purpose ;

(iv) They may administer an oath, and require any person examined to make and sign a declaration of the truth of the statements made by him in his examination :

- (d) Persons attending as witnesses before the court shall be allowed such expenses as would be allowed to witnesses attending before a civil bill court ;

- (e) If any person without reasonable excuse (proof whereof shall lie on him) fails, after having had the expenses (if any) to which he is entitled tendered to him, to comply with any summons or requisition of a court holding an investigation under this Act, or prevents or impedes the court in the execution of their duty, he shall be liable on summary conviction to a fine not exceeding ten pounds, and in the case of a failure to comply with a requisition for furnishing any return or producing any document, not exceeding ten pounds for every day on which the failure occurs or continues ;

- (f) The Government inspector making an inquiry into any accident and the court holding an investigation of any accident under this section shall make a report to the Minister, stating the causes of the accident and all the circumstances attending it, and containing any observations thereon or on the evidence or on any matters arising out of the inquiry or investigation which he or they think right to include in the report, and the Minister shall cause every report so made to him to be made public in such manner as he thinks expedient.

4. A Government inspector shall have power to make such examination and inquiry as may be necessary to ascertain whether the provisions of this Act or of any regulations made thereunder are complied with, and for that purpose—

- (a) he may enter, inspect, and examine at all reasonable times by day any licensed premises, and every part thereof, and

A.D. 1929.

3RD SCH.  
—cont.

Powers of  
inspectors.  
(Explosives  
Act, 1875,  
s. 55.)

A.D. 1929.

3RD SOB.  
—*cont.*

any premises in which any petroleum-spirit is kept, or is suspected by him to be kept, in contravention of the provisions of this Act or of any regulations made thereunder; and

- (b) he may require the occupier of any premises which he is so entitled to enter, or a person employed therein by the occupier, to give him samples of any petroleum on the premises.

The occupier of any such premises as aforesaid, his agents and servants, shall furnish the means required by a Government inspector as necessary for every such entry, inspection and examination which he is entitled under this section to make.

If any person fails to permit a Government inspector to enter, inspect or examine as aforesaid, or to comply with any such requisition of a Government inspector as aforesaid, or in any manner obstructs a Government inspector in the execution of his duties, that person shall be liable, on summary conviction, to a fine not exceeding fifty pounds, or on conviction on indictment to a fine not exceeding one hundred pounds.

Provisions as to coroners' inquests on deaths from accidents connected with petroleum-spirit. (Explosives Act, 1875, s. 65.)

5.—(1) Where a coroner holds an inquest upon the body of any person whose death may have been caused by any accident of which notice is required by this Act to be given to the Minister, the coroner shall adjourn the inquest unless a Government inspector, or some person on behalf of the Minister, is present to watch the proceedings :

Provided that if the accident has not occasioned the death of more than one person, and the coroner has sent to the Minister notice of the time and place of holding the inquest not less than forty-eight hours before the time of the holding thereof, it shall not be imperative on him to adjourn the inquest in pursuance of this section if the majority of the jury think it unnecessary that he should do so.

(2) The coroner, before the adjournment, may take evidence to identify the body, and may order the interment thereof.

(3) The coroner, at least four days before holding the adjourned inquest, shall send to the Minister notice in writing of the time and place of holding the adjourned inquest.

(4) A Government inspector or person employed on behalf of the Minister shall be at liberty at any such inquest as aforesaid to examine any witness, subject nevertheless to the order of the coroner on points of law.

(5) Where at any inquest there is given evidence of any neglect having caused or contributed to an accident, or evidence of there having been, in or about or in connection with any licensed premises or any ship or vehicle carrying petroleum-spirit, any defect that appears to the coroner or jury to require a remedy, the coroner shall, if no Government inspector or person employed on behalf of the Minister is present at the inquest, send to the Minister notice in writing of the neglect or defect.

Interpretation.

6. In this Schedule—

The expression “licensed premises” means any premises in respect of which a licence is in force under the Petroleum Act, 1871; and

The expression “Government inspector” means a Government inspector under the Explosives Act, 1875.

FOURTH SCHEDULE.

A.D. 1929.

MINOR AMENDMENTS.

Section 19.

Enactment to be  
amended.

Amendment.

The Petroleum Act,  
1871 :

Section 4 - - After the word "landing" there shall be inserted the words "and for providing "for the due enforcement of the byelaws"; after the word "section" where that word secondly occurs there shall be inserted the words "or that such byelaws as are in "force are insufficient"; and the last paragraph shall be omitted.

Section 6 - - The words "by land or water" shall be omitted; for the words "the United Kingdom" there shall be substituted the words "Northern Ireland"; after word "exposed" in both places where that word occurs there shall be inserted the words "or offered"; after the words "attached thereto" there shall be inserted the words "or, where that "is impracticable, displayed near thereto"; for the words "stating the description of "the petroleum, with the addition of" there shall be substituted the words "showing "the words 'Petroleum-Spirit' and"; the last paragraph shall be omitted; and at the end of the section there shall be inserted the following proviso:—

"Provided that, for the purposes of the foregoing provision, petroleum-spirit carried on any motor vehicle, ship, boat, or aircraft, but intended to be used only for the purposes thereof shall not be deemed to be conveyed."

Section 9 - - The words "shall be valid if signed by two or "more persons constituting the local "authority, or executed in any other way "in which other licences, if any, granted by "such authority are executed. Licences," the words "the mode of carrying such petroleum within the district of the local authority," and the third paragraph, shall be omitted.

Section 10 - - For the words "under the hand or hands of "one or more of the persons constituting" there shall be substituted the words "signed "by the clerk or secretary of"; after the words "ten days" there shall be inserted the words "or within such further time as "the Minister of Home Affairs for Northern

A.D. 1929  
4th SECT.  
—*contd.*

Enactment to be  
amended.

Amendment.

The Petroleum Act,  
1871—*cont.*  
Section 10.  
—*contd.*

“Ireland may allow,” and after the words  
“as the case may be” there shall be inserted  
the words “shall be in force for such time  
“and be subject to such provisions as to  
“renewal as may be specified in the licence  
and”

Section 11 . . . For the words “certified by the clerk or some  
“member” there shall be substituted the  
words “signed by the clerk or secretary”;  
the words “or producing some other sufficient  
“authority” shall be omitted; after the  
word “exposing” there shall be inserted the  
words “or offering”; the words “be deemed  
“to be a portion of the costs of the pro-  
“ceedings against him, and shall” shall be  
omitted; for the word “accordingly” there  
shall be substituted the words “and shall be  
“recoverable as part of the costs of the  
“proceedings against him”; and the words  
“out of any funds for the time being in their  
“hands, and in case the local authority are  
“the justices, out of the county rate” shall  
be omitted.

Section 12 . . . After the word “who,” in both places where  
that word occurs, there shall be inserted  
the words, “by himself or by anyone in his  
“employ or acting by his direction or with  
“his consent.”

Section 13 . . . After the word “exposed,” in both places  
where that word occurs, there shall be  
inserted the words “or offered”; after the  
words “petroleum-spirit” in each place  
where they occur in the second and third  
paragraphs of the section, there shall be  
inserted the words “or vessel”; in the  
fourth paragraph of the section there shall  
be inserted after the word “place” the  
words “ship or vehicle”; for the words  
“to forfeit all” there shall be substituted  
the words “may be ordered by the court to  
“forfeit any”; and at the end of the section  
there shall be inserted the words “with or  
“without any vessel in which it is con-  
“tained.”

Section 15 . . . In the first paragraph, after the word “may”  
there shall be inserted the words “and,  
“except in the case of an offence which  
“involves a penalty exceeding fifty pounds,  
“shall.”

| Enactment to be amended.                                                                                    | Amendment.                                                                                                                                                                                                                                       | A.D. 1929.                                    |
|-------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| <div>The Petroleum Act.</div> <div>1871—<i>cont.</i></div> <div>Section 15.</div> <div>—<i>contd.</i></div> | <div>In proviso 1, after the words “shall not,” there shall be inserted the words “except in “the case of an offence involving a fine for “every day on which the offence occurs or “continues”; and proviso 6 shall cease to have effect.</div> | <div>4th SCH.</div> <div>—<i>contd.</i></div> |
| Section 16 .                                                                                                | After the words “harbour authority,” in each place where those words occur, there shall be inserted the words “or canal company.”                                                                                                                |                                               |

FIFTH SCHEDULE.

Section 20.

ENACTMENTS REPEALED.

| Session and Chapter.     | Short Title.            | Extent of Repeal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------------|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 34 & 35 Vict.<br>c. 105. | The Petroleum Act, 1871 | Section three; the last paragraph of section four; in section six the words “by land or water” and the last paragraph; the second paragraph of section seven; section eight; in section nine the words “shall be valid if “signed by two or more “of the persons consti- “tuting the local author- “ity, or executed in any “other way in which “other licences, if any, “granted by such author- “ity are executed. Li- “cences,” the words “the mode of carrying “such petroleum within “the district of the li- “censing authority” and the third paragraph; in section eleven the words “or producing some other “sufficient authority,” the words “be deemed to “be a portion of the costs “of the proceedings “against him, and shall,” and the words “out of |

A. D. 1929.

ENACTMENTS REPEALED—continued.

5TH SCH.  
—cont.

| Session and Chapter.      | Short Title.                                | Extent of Repeal.                                                                                                                                                                                       |
|---------------------------|---------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 34 & 35 Vict.,<br>c. 105. | The Petroleum Act, 1871                     | “any funds for the time<br>“being in their hands,<br>“and in case the local<br>“authority are the justi-<br>“ces, out of the county<br>“rate”; section fourteen;<br>in section fifteen, pro-<br>viso 6. |
| 42 & 43 Vict.<br>c. 47.   | The Petroleum Act, 1879.                    | Section two.                                                                                                                                                                                            |
| 44 & 45 Vict.<br>c. 67.   | The Petroleum (Hawkers)<br>Act, 1881.       | The whole Act.                                                                                                                                                                                          |
| 59 & 60 Vict.<br>c. 36.   | The Locomotives on High-<br>ways Act, 1896. | Section five.                                                                                                                                                                                           |

[20 GEO. 5.]

**CHAPTER 1.**

An Act to amend the laws relating to bankruptcy and to debtors in Northern Ireland, and for purposes related to or incidental to the matters aforesaid. [11th July, 1929.]

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

**PART I.****PROCEEDINGS IN BANKRUPTCY.***Acts of bankruptcy.*

1. Section twenty-one of the Bankruptcy (Ireland) Amendment Act, 1872 (in this Act referred to as “the Act of 1872”) shall have effect subject to the following amendments :—

- (a) in paragraph three the words “Northern Ireland” shall be substituted for “Ireland” wherever the latter occurs, and the words “being a trader” shall be omitted where they first occur in the said paragraph ;

Amendment  
of  
35 & 36 Vict.  
c. 58, s. 21;



- (b) paragraph five shall cease to have effect and the following provisions shall have effect in lieu thereof :— A.D. 1929.  
—

“ 5. That execution against the debtor has been levied by seizure of his goods under process in an action in any court, or in any civil proceeding in the High Court, and the goods have been either sold or held by the sheriff for twenty-one days ; or a return of no goods has been made by the sheriff in the case of any such execution :

Provided that, where an interpleader summons has been taken out in regard to the goods seized, the time elapsing between the date at which such summons is taken out and the date at which the proceedings on such summons are finally disposed of, settled, or abandoned, shall not be taken into account in calculating such period of twenty-one days ;”

- (c) in paragraph six there shall be substituted for the words “ being a trader has for the space of seven days or not being a trader has for the space of three weeks ” the words following, that is to say :—

“ has for the space of seven days ” ;

- (d) The following paragraph shall be added after paragraph seven :—

“ 8. That in Northern Ireland or elsewhere the debtor makes any conveyance or transfer of his property or any part thereof, or creates any charge thereon, which would under this or any other Act be void as a fraudulent preference if he were adjudged bankrupt ;”

- (e) The following words shall be omitted :—

“ but he shall, on an application being made by the assignees or trustee within the prescribed time after the date of adjudication, give up his security to such assignees or trustee for the benefit of the creditors upon payment of such estimated value.”

A.D. 1920

Deeds of  
arrangement50 & 51 Vict.,  
c. 57.  
53 & 54 Vict.,  
c. 24.

2.—(1) Where a debtor has entered into a deed of arrangement for the benefit of his creditors generally, to which the Deeds of Arrangement Act, 1887, as amended by the Deeds of Arrangement Amendment Act, 1890, applies, and the following conditions have been complied with, namely :—

- (a) the debtor has secured the assent to such deed of three-fifths in number and value of those of his creditors to whom he is indebted to the amount of ten pounds and upwards, the assent of any creditor being established by his executing the deed of arrangement or sending to the debtor or the trustee appointed by the deed his assent in writing attested by a witness ; and
- (b) the debtor or the trustee under the said deed within one month from the date of the first execution by him or any creditor of the deed of arrangement, or within such further period as may be allowed by order of the court, applies to the court and obtains an order of the court declaring that he has obtained the assent mentioned in the preceding paragraph, and that in all the circumstances of the case, the proposals contained in the deed of arrangement are, in the opinion of the court, reasonable and proper ; and
- (c) the application referred to in the preceding paragraph has been made on notice to all the creditors given and vouched in the same manner as notices of sittings in arrangement matters, and for this purpose the debtor has filed in the office of the court a copy of the debtor's affidavit filed by him in compliance with subsection (1) of section six of the Deeds of Arrangement Act, 1887 ;

then in such case a creditor of such debtor shall not, unless the deed becomes void, be entitled to present a bankruptcy petition against the debtor founded on the execution of the deed, or on any other act committed by the debtor in the course or for the purposes of the proceedings preliminary to the execution of the deed, as an act of bankruptcy, or to apply for a debtor's summons against the debtor in respect of any amount due or claimed to be due at the date of the execution of the deed.

(2) In case any creditor shall, prior to the making of the application referred to in paragraph (b) of the preceding sub-section, or pending the hearing thereof, file a petition in bankruptcy against the debtor, the court may, on the application of the debtor or the trustee under the deed of arrangement, stay further proceedings on foot of such petition, or extend the time for showing cause against the adjudication thereunder, upon such terms as to costs or otherwise as to the court shall seem fit, and if the court shall make such an order as referred to in sub-section (1) of this section, further proceedings on foot of any such petition shall thereupon be stayed without further order, or if adjudication has taken place thereon such adjudication shall stand annulled, but in either event upon such terms as to costs or otherwise as to the court shall seem fit.

A.D. 1929.

*Adjudication of bankruptcy.*

3. Section one hundred and twenty of the Irish Bankrupt and Insolvent Act, 1857 (in this Act referred to as "the Act of 1857") shall have effect as if there were added thereto the words following, that is to say:—

Amendment  
of  
20 & 21 Vict.,  
c. 60, s. 120.

"and if the court under such petition adjudge such debtor bankrupt notice of such adjudication shall forthwith be given in the Belfast Gazette in the prescribed manner."

*Composition or arrangement with creditors.*

4.—(1) So much of section one hundred and forty-nine of the Act of 1857 as requires a second meeting of creditors to be held where a bankrupt or his friends make an offer of composition after adjudication shall cease to have effect, and the said section shall have effect as if the words from "another meeting" to "agree to accept such offer" were omitted and the following provision were added to the said section, that is to say:—

Amendment  
of  
20 & 21 Vict.,  
c. 60, ss. 149  
and 150 and  
35 & 36 Vict.,  
c. 58, s. 61.

"It shall be lawful for the court, in any case where such offer of composition has been made and accepted and where the court considers it desirable to do so, to cause a special sitting of the court to be held, whereof and of the purport whereof, ten days' notice shall be given in the Belfast Gazette, and the resolution of three-fifths in number and value of the creditors at such sitting to confirm, alter,

A.D. 1929.

or annul the whole or any part of such acceptance of the offer of composition shall be as valid as if it had been part of the original acceptance; provided, however, that if one-third in number and value of the creditors of such bankrupt do not attend such sitting the resolution thereof shall not be valid unless the same is confirmed or approved by the court."

(2) Section one hundred and fifty of the Act of 1857 shall have effect as if—

(a) there were inserted after the word "composition" where it first occurs in the said section the words following, that is to say :—

"at the aforesaid meeting of creditors, or upon any proposal at the aforesaid special sitting of the court to confirm, alter, or annul the whole or any part of the acceptance of such offer";

(b) there were inserted after the words "such offer as aforesaid" the words following, that is to say :—

"or of the special sitting of the Court where such special sitting is to be held";

(c) there were inserted after the word "meeting" where it occurs for the second time in the said section the words following, that is to say :—

"or such special sitting of the court."

(3) Section sixty-one of the Act of 1872 shall have effect as if for the words "either of the meetings mentioned in said one hundred and forty-ninth section or at any adjournment of either of said meetings" there were substituted the words following, that is to say :—

"the meeting or special sitting mentioned in the said one hundred and forty-ninth section or at any adjournment of the said meeting or special sitting."

Repeal and  
re-enactment  
with  
amendments  
of  
20 & 21 Vict.,  
c. 60, ss. 346  
and 347, &c.

5.—(1) Sections three hundred and forty-six and three hundred and forty-seven of the Act of 1857 shall cease to have effect and the following provisions shall have effect in lieu thereof :—

"At such sitting or at any adjournment thereof the creditors shall prove their debts, such proofs to be in all respects as proofs in bankruptcy ;

and the petitioning debtor shall attend and make oath of the truth of the account filed by him and may be examined thereon, and if at such sitting or at any adjournment thereof three-fifths in number and value of the creditors who have proved debts to the amount of ten pounds shall assent to the proposal of such petitioner or to any modification thereof, the terms thereof shall be reduced into writing and the creditors shall sign the same ; and such resolution or agreement, subject to such confirmation as hereinafter mentioned, shall thenceforth be binding and of full force as well against such petitioning debtor as against all persons who were creditors at the date of his petition, and who had notice of the said sitting ; and the court, after hearing such creditors by themselves, their counsel, or attorneys, as may desire to be heard, either for or against such resolution or agreement, may approve and confirm the same, and cause it to be filed and entered on record, and grant to the petitioner a certificate thereof."

A.D. 1929.

(2) Sub-section (5) of section two of the Deeds of Arrangement Amendment Act, 1890, shall have effect as if for the words " order a second sitting of creditors to be held " there were substituted the following words :—

" approve and confirm the resolution or agreement of the creditors."

6. In section three hundred and fifty-one of the Act of 1857 there shall be substituted for the words " In case any difficulty shall arise in the execution of the said resolution or agreement " the following words :—

Amendment  
of  
20 & 21 Viet.  
c. 60, s. 251.

" In any case where a person has presented a petition for an arrangement with his creditors, and the creditors have assented to such resolution or agreement as aforesaid, and the court considers it desirable to do so."

## PART II.

### ADMINISTRATION OF PROPERTY.

#### *Proof of debts.*

7. The rules in the First Schedule to this Act shall be observed with respect to proof of debts by secured creditors.

Secured  
creditors

A.D. 1929.

Explanation  
of  
52 & 53 Vict.,  
c. 60, s. 4

**8.** For the removal of doubts, it is hereby declared that the priority given by section four of the Preferential Payments in Bankruptcy (Ireland) Act, 1889 (in this Act referred to as "the Act of 1889") to the wages or salary of any clerk or servant in respect of services rendered to a bankrupt during four months before the date of the order of adjudication, not exceeding fifty pounds, applies to any such wages or salary as aforesaid whether or not earned wholly or in part by way of commission.

Postpone-  
ment of  
husband's  
and wife's  
claims.

**9.**—(1) Where a married woman has been adjudged bankrupt, her husband shall not be entitled to claim any dividend as a creditor in respect of any money or other estate lent or entrusted by him to his wife for the purposes of her trade or business, until all claims of the other creditors of his wife for valuable consideration in money or money's worth have been satisfied.

(2) Where the husband of a married woman has been adjudged bankrupt, any money or other estate of such woman lent or entrusted by her to her husband for the purpose of any trade or business carried on by him or otherwise, shall be treated as assets of his estate, and the wife shall not be entitled to claim any dividend as a creditor in respect of any such money or other estate until all claims of the other creditors of her husband for valuable consideration in money or money's worth have been satisfied.

*Property available for payment of debts.*

Relation  
back of title  
of assignees  
or trustee.

**10.** The bankruptcy of a debtor, whether it takes place on the debtor's own petition or upon that of a creditor or creditors, shall be deemed to have relation back to, and to commence at, the time of the act of bankruptcy being committed on which an adjudication of bankruptcy is made against him, or if the bankrupt is proved to have committed more acts of bankruptcy than one, to have relation back to, and to commence at, the time of the first of the acts of bankruptcy proved to have been committed by the bankrupt within six months next preceding the date of the filing of the bankruptcy petition; but no bankruptcy petition or adjudication shall be rendered invalid by reason of any act of bankruptcy anterior to the debt of the petitioning creditor.

11.—(1) Where a second or subsequent adjudication of bankruptcy is made against a bankrupt, or where an order is made for the administration in bankruptcy of the estate of a deceased bankrupt, then for the purposes of any proceedings consequent upon any such adjudication or order, the assignees or trustee in the last preceding bankruptcy shall be deemed to be creditors in respect of any unsatisfied balance of the debts provable against the property of the bankrupt in that bankruptcy, and any property acquired by the bankrupt since he was last adjudged bankrupt, which at the date when the subsequent petition was presented had not been distributed amongst the creditors in such last preceding bankruptcy, shall (subject to any disposition thereof made by the assignees or trustee in that bankruptcy, without knowledge of the presentation of the subsequent petition, and subject to the provisions of this Act with respect to dealings with an undischarged bankrupt) vest in the assignees or trustee in the subsequent bankruptcy or administration in bankruptcy as the case may be.

A.D. 1929  
Provisions  
as to second  
bankruptcy  
or adminis-  
tration in  
bankruptcy  
of bankrupt's  
estate.

(2) Where the assignees or trustee in any bankruptcy receive notice of a subsequent petition in bankruptcy against the bankrupt or after his decease of a petition for the administration of his estate in bankruptcy, the said assignees or trustee shall hold any property then in their possession which has been acquired by the bankrupt since he was adjudged bankrupt until the subsequent petition has been disposed of, and, if on the subsequent petition an order of adjudication or an order for the administration of the estate in bankruptcy is made, they shall transfer all such property or the proceeds thereof (after deducting their costs and expenses) to the assignees or trustee in the subsequent bankruptcy or administration in bankruptcy, as the case may be.

*Effect of bankruptcy on antecedent and other transactions.*

12. Section three hundred and fourteen of the Act of 1857 and section fifty-two of the Act of 1872 shall cease to have effect and the following provisions shall have effect in lieu thereof:—

(1) Any settlement of property, not being a settlement made before and in consideration of marriage, or made in favour of a purchaser or

Repeal and  
re-enactment  
with  
amendments  
of  
20 & 21 Vict.,  
c. 60, s. 314  
and  
35 & 36 Vict.,  
c. 58, s. 52.

A D. 1929.  
—

incumbrancer in good faith and for valuable consideration, or a settlement made on or for the wife or children of the settlor of property which has accrued to the settlor after marriage in right of his wife, shall, if the settlor becomes bankrupt within two years after the date of the settlement, be void against the assignees or trustee in the bankruptcy, and shall, if the settlor becomes bankrupt at any subsequent time within ten years after the date of the settlement, be void against the said assignees or trustee in the bankruptcy, unless the parties claiming under the settlement can prove that the settlor was, at the time of making the settlement, able to pay all his debts without the aid of the property comprised in the settlement, and that the interest of the settlor in such property passed to the trustee of such settlement on the execution thereof.

(2) Any covenant or contract made by any person (in this section called "the settlor") in consideration of his or her marriage, either for the future payment of money for the benefit of the settlor's wife or husband or children, or for the future settlement, on or for the settlor's wife or husband or children, of property, wherein the settlor had not at the date of the marriage any estate or interest, whether vested or contingent, in possession or remainder, and not being money or property in right of the settlor's wife or husband, shall, if the settlor is adjudged bankrupt and the covenant or contract has not been executed at the date of adjudication of bankruptcy, be void against the assignees or trustee in the bankruptcy, except so far as it enables the persons entitled under the covenant or contract to claim for dividend in the settlor's bankruptcy under or in respect of the covenant or contract, but any such claim to dividend shall be postponed until all claims of the other creditors for valuable consideration in money or money's worth have been satisfied.

(3) Any payment of money (not being payment of premiums on a policy of life assurance) or any transfer of property made by the settlor in pursuance of such a covenant or contract as aforesaid



shall be void against the assignees or trustee in the settlor's bankruptcy, unless the persons to whom the payment or transfer was made prove either—

A.D. 1929.

- (a) that the payment or transfer was made more than two years before the date of adjudication of bankruptcy ; or
- (b) that at the date of the payment or transfer the settlor was able to pay all his debts without the aid of the money so paid or the property so transferred ; or
- (c) that the payment or transfer was made in pursuance of a covenant or contract to pay or transfer money or property expected to come to the settlor from or on the death of a particular person named in the covenant or contract, and was made within three months after the money or property came into the possession or under the control of the settlor ;

but, in the event of any such payment or transfer being declared void, the persons to whom it was made shall be entitled to claim for dividend under or in respect of the covenant or contract in like manner as if it had not been executed at the date of adjudication of bankruptcy.

(4) "Settlement" shall, for the purposes of this section, include any conveyance or transfer of property.

13. Section fifty-three of the Act of 1872 shall have effect as if there were substituted for the words "with a view of giving such creditor a preference over the other creditors" the following words :—

Amendment  
of  
35 & 36 Vict.,  
c. 58, s. 53.

"With a view of giving such creditor, or any surety or guarantor for the debt due to such creditor, a preference over the other creditors."

14.—(1) Section fifty-four of the Act of 1872, which relates to the proceeds of sale and seizure of goods, shall have effect as if—

Amendment  
of  
35 & 36 Vict.,  
c. 58, s. 54  
and 55.

- (a) there were substituted for the word "trader" wherever it occurs in the said section the word "debtor" ;

A D. 1929.

(b) there were inserted after the word "sold" in the said section the words following, that is to say:—

"or where money has been paid in order to avoid sale under such execution ;"

(c) there were inserted after the word "sale" wherever it occurs in the said section the words following, that is to say:—

"or the money paid."

(2) Section fifty-five of the Act of 1872 shall have effect as if for the word "trader" there were substituted the word "debtor."

Validity of  
certain pay-  
ments to  
bankrupt  
and assignee.

15.—(1) A payment of money or delivery of property to a person subsequently adjudged bankrupt, or to a person claiming by assignment from him shall, notwithstanding anything in the Acts of 1857 and 1872, and in this Act, be a good discharge to the person paying the money or delivering the property, if the payment or delivery is made before the actual date of adjudication of bankruptcy and without notice of the presentation of a bankruptcy petition, and is either pursuant to the ordinary course of business or otherwise bona fide.

(2) For the purposes of this section a payment by a banker of a cheque drawn in favour of a third party by the person subsequently adjudged bankrupt shall be deemed to be a payment to the person subsequently adjudged bankrupt.

Dealings  
with undis-  
charged  
bankrupt.

16.—(1) All transactions by a bankrupt with any person dealing with him bona fide and for value, in respect of property, whether real or personal, acquired by the bankrupt after the adjudication, shall, if completed before any intervention by the assignees or trustee in the bankruptcy, be valid against the said assignees or trustee, and any estate or interest in such property which by virtue of the Act of 1857, the Act of 1872 or this Act is vested in the said assignees or trustee shall determine and pass in such manner and to such extent as may be required for giving effect to any such transaction.

This sub-section shall apply to transactions with respect to real property completed before the commencement of this Act in any case where there has not been any intervention by the said assignees or trustee before that date.

A.D. 1929.

For the purposes of this sub-section, the receipt of any money, security, or negotiable instrument from, or by the order or direction of, a bankrupt by his banker, and any payment and any delivery of any security or negotiable instrument made to, or by the order or direction of, a bankrupt by his banker, shall be deemed to be a transaction by the bankrupt with such banker dealing with him for value.

(2) Where a banker has ascertained that a person having an account with him is an undischarged bankrupt, then, unless the banker is satisfied that the account is on behalf of some other person, it shall be his duty forthwith to inform the assignees or the trustee in the bankruptcy of the existence of the account, and thereafter he shall not make any payments out of the account, except under an order of the court or in accordance with instructions from the said assignees or trustee, unless by the expiration of one month from the date of giving the information no instructions have been received from the said assignees or trustee.

17. Where any money or property of a bankrupt has, on or after the date of the filing of the petition of bankruptcy, but before notice of the adjudication of bankruptcy has been gazetted as directed by section one hundred and twenty-nine of the Act of 1857 or this Act, been paid or transferred by a person having possession of it to some other person, and the payment or transfer is under the provisions of the Acts of 1857 and 1872 or of this Act void as against the assignees or trustee in the bankruptcy, then, if the person by whom the payment or transfer was made proves that when it was made he had not had notice of the petition of bankruptcy, any right of recovery which the said assignees or trustee may have against him in respect of the money or property shall not be enforced by any legal proceedings except where and in so far as the court is satisfied that it is not reasonably practicable for the said assignees or trustee to recover in respect of the money or property or of some part thereof from the person to whom it was paid or transferred.

Recovery of property transferred without knowledge of filing of petition of bankruptcy.

#### *Realisation of property.*

18. Where a married woman who has been adjudged bankrupt has separate property the income of which is subject to a restraint on anticipation, the court shall

Appropriation of income of property restrained from anticipation.

A.D. 1929

have power, on the application of the official assignee or trustee in the bankruptcy, to order that, during such time as the court may order, the whole or some part of such income be paid to the assignees or trustee in the bankruptcy for distribution amongst the creditors, and in the exercise of such power the court shall have regard to the means of subsistence available for the woman and her children.

Election as to or disclaimer of onerous property of arranging debtor.

19. The provisions of sections two hundred and seventy-one and two hundred and seventy-two of the Act of 1857 (relative to election by the assignees of a bankrupt in certain cases) and of sections ninety-seven and ninety-eight of the Act of 1872 (relative to disclaimer of onerous property by the assignees or trustee of a bankrupt) shall apply to the official assignee in any case where the property and effects of an arranging debtor have been vested in the said official assignee under section three hundred and forty-nine of the Act of 1857, in the same manner as the said provisions apply to the assignees or trustee of a bankrupt.

### PART III.

#### SUPPLEMENTAL PROVISIONS.

Application of bankruptcy laws to married women.

20.—(1) Every married woman who carries on a trade or business, whether separately from her husband or not, shall be subject to the bankruptcy laws as if she were a feme sole.

(2) The provisions of section thirty of the Act of 1872 shall apply to a married woman who carries on a trade or business, whether she carries on such trade or business separately from her husband or not, as though she were personally bound to pay the debt in respect of which the debtor's summons is brought.

Administration in bankruptcy of estate of person dying insolvent.  
40 & 41 Vict., c. 57.  
60 & 61 Vict., c. 66.

21.—(1) Rules of court may be made under section sixty-one of the Supreme Court of Judicature Act (Ireland) 1877, as amended by the Supreme Court of Judicature (Ireland) (No. 2) Act, 1897, providing for the administration according to the law of bankruptcy of the estates of persons dying insolvent, in any case where the court thinks fit so to order upon a petition being presented to the court —

A.D. 1929

- (a) by a creditor of a deceased debtor whose debt would have been sufficient to support a bankruptcy petition against the debtor had he been alive, or
- (b) by the legal personal representative of such deceased debtor.

Upon the making of such rules of court the following provisions of this section shall come into operation ; and the rules may provide for any matters for which provision may be necessary in order to give full effect to this section, and may prescribe anything which is to be prescribed thereunder.

(2) Where a petition for administration under this section has been presented to the court, the court may, in the prescribed manner, unless satisfied that there is a reasonable probability that the estate will be sufficient for the payment of the debts owing by the deceased, make an order for the administration in bankruptcy of the deceased debtor's estate, or may, upon cause shown, dismiss the petition with or without costs. Where the petition is presented by a creditor the prescribed notice shall be given to the legal personal representative of the deceased debtor and the petitioner's debt shall be proved to the court, before an order is made.

(3) A petition for administration under this section shall not be presented to the court after proceedings have been commenced in any court of justice for the administration of the deceased debtor's estate, but that court may, when satisfied that the estate is insufficient to pay its debts, transfer the proceedings to the court exercising jurisdiction in bankruptcy, and thereupon the last-mentioned court may, in the prescribed manner, make an order for the administration of the estate of the deceased debtor, and the like consequences shall ensue as under an administration order made on a petition under this section.

(4) Upon an order being made for the administration of a deceased debtor's estate, the property of the debtor shall vest in the official assignee of the court, and he shall forthwith proceed to realise and distribute that property in accordance with the provisions of the Acts of 1857, 1872, and 1889, and this Act :

Provided that the creditors shall have the same powers as to appointment of a trustee and committee of

A.D. 1929

inspection as they have in other cases where the estate of a debtor is being administered or dealt with in bankruptcy, and the provisions of the Act of 1872 relating to trustees and committees of inspection shall apply to trustees and committees of inspection appointed under the powers so conferred.

(5) With the modifications hereinafter mentioned, all the provisions of the Acts of 1857, 1872, and 1889, and this Act relating to proof of debts, property available for payment of debts, effect of bankruptcy on antecedent and other transactions, realisation of property, and distribution of property, and sections three hundred and seven to three hundred and eleven inclusive, of the Act of 1857 (which relate to enquiries as to a debtor's conduct, dealings, and property) shall, so far as the same are applicable, apply to the case of an administration order under this section in like manner as to an order of adjudication of bankruptcy, and section three hundred and twenty-one of the Act of 1857 and sub-section (4) of section four of the Act of 1889 shall apply as if for the reference to the filing of a petition of bankruptcy and an order of adjudication, respectively, there were substituted a reference to an administration order under this section.

(6) In the administration of the property of the deceased debtor under an order of administration, the official assignee or trustee shall have regard to any claim by the legal personal representative of the deceased debtor to payment of the proper funeral and testamentary expenses incurred by him in and about the debtor's estate, and such claim shall be deemed a preferential debt under the order, and shall, notwithstanding anything to the contrary in the provisions of any Act relating to the priority of other debts, be payable in full, out of the debtor's estate, in priority to all other debts.

(7) If, on the administration of a deceased debtor's estate, any surplus remains in the hands of the official assignee or trustee, after payment in full of all the debts due from the debtor, together with the costs of the administration and interest as provided by the Acts of 1857 and 1872 in case of bankruptcy, such surplus shall be paid over to the legal personal representative of the deceased debtor's estate, or dealt with in such other manner as may be prescribed.

(8) Notice to the legal personal representative of a deceased debtor of the presentation by a creditor of a petition under this section shall, in the event of an order for administration being made thereon, be deemed to be equivalent to notice of an act of bankruptcy, and after such notice no payment or transfer of property made by the legal personal representative shall operate as a discharge to him as between himself and the official assignee or trustee; save as aforesaid nothing in this section shall invalidate any payment made or any act or thing done in good faith by the legal personal representative before the date of the order for administration.

A.D. 1929.

(9) Where a petition for the administration of the estate of a deceased debtor under this section is presented by the legal personal representative of the debtor, the provisions of this section shall be subject to such modifications as may be prescribed.

(10) In this section "the court" means a judge of the Supreme Court exercising jurisdiction in bankruptcy under section four of the Supreme Court of Judicature (Ireland) (No. 2) Act, 1897, "creditor" means one or more creditors qualified to present a bankruptcy petition, and "trustee" means a trustee appointed by the creditors of the deceased debtor under the provisions of sub-section (4) of this section.

**22.—**(1) Where an order is made by the court for the payment of the surplus referred to in section three hundred and four of the Act of 1857 to a bankrupt, his executors, administrators or assigns, such order shall have the effect of vesting the said surplus in the bankrupt, his executors, administrators or assigns.

Re-vesting  
of property  
in bank-  
ruptcy  
matter.

(2) Where an offer of composition after bankruptcy by a bankrupt or his friends has been accepted by his creditors, and the adjudication of bankruptcy has been annulled by the court, and there remains in the possession of, or vested in, or otherwise subject to the control of the assignees or trustee in the bankruptcy, any part of the estate or effects of the debtor whose bankruptcy has been annulled, it shall be lawful for the court to order that the same shall be vested in the said debtor, his heirs, executors, administrators, or assigns and such order shall have the effect of vesting the same accordingly.

A.D. 1929.

(3) Any order made in pursuance of this section, shall, for all purposes, be deemed to be a conveyance or assignment of property, and may be registered accordingly.

## PART IV.

## BANKRUPTCY OFFENCES.

Amendment  
of  
35 & 36 Vict.,  
c. 57, s. 11.

**23.**—(1) Section eleven of the Debtors Act (Ireland), 1872 (which provides among other things that any person adjudged bankrupt and any person who shall have presented a petition for arrangement with his creditors, in pursuance of the Act of 1857 as amended by the Act of 1872, shall be deemed guilty of a misdemeanour if he commits any of the acts or omissions mentioned in paragraphs (4), (5), (9), (10), (11), (12), (13), (14) and (15) of the said section within four months next before the presentation of a bankruptcy petition against or by him, or the presentation of a petition for arrangement by him) shall have effect as if—

(a) after the word “liable” there were inserted the words following, that is to say:—

“where no other penalty is expressly mentioned”;

(b) in the said paragraphs (4), (5), (9), (10), (11), (12), (13), (14) and (15) the words “twelve months” were substituted for the words “four months” wherever the latter words occur in the said paragraphs.

(2) The said section eleven of the Debtors Act (Ireland), 1872, shall have effect as if the following sub-sections were inserted therein, that is to say:—

“(2) Any person guilty of a misdemeanour in the cases mentioned respectively in paragraphs (13), (14) and (15) of the last foregoing sub-section shall be liable on conviction on indictment to penal servitude for any term not exceeding five years, or, to imprisonment for a term not exceeding two years.

(3) Where any person pawns, pledges or disposes of any property in circumstances which amount to a misdemeanour under paragraph (15) of sub-section (1) of this section, every person who takes in pawn or pledge or otherwise receives the property knowing it to be pawned, pledged or



disposed of in such circumstances as aforesaid shall be guilty of a misdemeanour, and on conviction thereof liable to be punished in the same way as if he had received the property knowing it to have been obtained in circumstances amounting to a misdemeanour."

A.D. 1929.

**24.** Where a bankrupt who has not obtained the certificate of conformity mentioned in section fifty-six of the Act of 1872—

Undis-  
charged  
bankrupt  
obtaining  
credit.

- (a) either alone or jointly with any other person obtains credit to the extent of ten pounds or upwards from any person without informing that person that he is an uncertificated bankrupt ; or
- (b) engages in any trade or business under a name other than that under which he was adjudicated bankrupt without disclosing to all persons with whom he enters into any business transaction the name under which he was adjudicated bankrupt ;

he shall be guilty of a misdemeanour, and on conviction thereof shall be liable to be imprisoned for any term not exceeding two years.

**25.—(1)** Any person adjudged bankrupt, and any person who shall have presented a petition for arrangement with his creditors in pursuance of the Act of 1857 as amended by the Act of 1872, shall be deemed guilty of a misdemeanour, and, on conviction thereof, shall be liable to be imprisoned for any term not exceeding two years, if, having been engaged in any trade or business, and having outstanding at the date of the presentation of a bankruptcy petition against or by him, or the presentation of a petition for arrangement by him, any debts contracted in the course and for the purposes of such trade or business—

Bankrupt or  
arranging  
debtor  
guilty of  
gambling,  
&c.

- (a) he has, within two years prior to the presentation of such petition materially contributed to or increased the extent of his insolvency by gambling or by rash and hazardous speculations, and such gambling or speculations are unconnected with his trade or business ; or

A.D. 1929.  
—

- (b) he has, between the date of the presentation of such petition and the date of adjudication of bankruptcy, or the date on which his proposed arrangement was approved by the court, as the case may be, lost any part of his estate by such gambling or rash and hazardous speculations as aforesaid ; or
- (c) on being required by the official assignee or trustee in the bankruptcy at any time, or in the course of any sitting by the court, to account for the loss of any substantial part of his estate incurred within a period of a year next preceding the date of the presentation of the bankruptcy petition, or petition for arrangement with his creditors, or between that date and the date of the adjudication of bankruptcy, or the date on which his proposed arrangement was approved by the court, as the case may be, he fails to give a satisfactory explanation of the manner in which such loss was incurred :

Provided that, in determining for the purposes of this section whether any speculations were rash and hazardous, the financial position of the accused person at the time when he entered into the speculations shall be taken into consideration.

(2) A prosecution shall not be instituted against any person under this section except by order of the court, nor where the presentation of a bankruptcy petition against or by him or the presentation of a petition for arrangement by him is made within two years from the twenty-ninth day of May, nineteen hundred and twenty-nine.

Bankrupt or  
arranging  
debtor  
failing to  
keep proper  
accounts.

26.—(1) Any person adjudged bankrupt and any person who shall have presented a petition for arrangement with his creditors, in pursuance of the Act of 1857 as amended by the Act of 1872, shall be deemed guilty of a misdemeanour, and, on conviction thereof, shall be liable to be imprisoned for any term not exceeding two years, if, having been engaged in any trade or business during any period in the two years immediately preceding the date of the presentation of a bankruptcy petition against or by him, or a petition for

arrangement with his creditors by him, he has not kept proper books of account throughout that period and throughout any further period in which he was so engaged between the date of the presentation of the petition and the date of adjudication of bankruptcy, or the date on which his proposed arrangement was approved by the court, as the case may be, or has not preserved all books of account so kept :

A.D. 1929.

Provided that a person who has not kept or has not preserved such books of account shall not be convicted of an offence under this section—

- (a) if his unsecured liabilities at the date of the presentation of the said petition of bankruptcy or petition for arrangement did not exceed, in the case of a person who has not on any previous occasion been adjudged bankrupt or made a composition or arrangement with his creditors five hundred pounds, or in any other case one hundred pounds ; or
- (b) if he proves that in the circumstances in which he traded or carried on business the omission was honest and excusable.

(2) A prosecution shall not be instituted against any person under this section except by order of the court, nor where the presentation of a bankruptcy petition against or by him or the presentation of a petition for arrangement by him is made within two years from the passing of this Act.

(3) For the purposes of this section, a person shall be deemed not to have kept proper books of account, if he has not kept such books or accounts as are necessary to exhibit or explain his transactions and financial position in his trade or business, including a book or books containing entries from day to day in sufficient detail of all cash received and cash paid, and, where the trade or business has involved dealings in goods, statements of annual stocktakings, and (except in the case of goods sold by way of retail trade to the actual consumer) accounts of all goods sold and purchased showing the buyers and sellers thereof in sufficient detail to enable the goods and the buyers and sellers thereof to be identified.

(4) Paragraphs (9), (10) and (11) of sub-section (1) of section eleven of the Debtors Act (Ireland), 1872 (which relate to the destruction, mutilation, and falsi-

A.D. 1929

fication and other fraudulent dealing with books and documents) shall, in their application to such books or accounts as aforesaid, have effect as if "two years next before such presentation respectively" were substituted for the time mentioned in those paragraphs as the time prior to the presentation within which the acts or omissions specified in those paragraphs constitute an offence.

Amendment  
of  
35 & 36 Vict.,  
c. 57, s. 12.

27. Section twelve of the Debtors Act (Ireland), 1872, which provides amongst other things that a person who is adjudged a bankrupt or has presented a petition for arrangement with his creditors shall be guilty of a felony if he commits the acts mentioned in the said section within four months before such adjudication or presentation respectively, shall have effect as if the words "six months" were substituted for "four months" and the words "Northern Ireland" were substituted for "Ireland" wherever those words occur in the said section.

## PART V.

## GENERAL.

Inter-  
pretation.

28.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say :—

"The court" means a judge of the Supreme Court exercising jurisdiction in bankruptcy under section four of the Supreme Court of Judicature (Ireland) (No. 2) Act, 1897, and includes a local bankruptcy court within the meaning of the Local Bankruptcy (Ireland) Act, 1888 :

51 & 52 Vict.,  
c. 44.

"Prescribed" means prescribed by rules of court made under section sixty-one of the Supreme Court of Judicature Act (Ireland), 1877, as amended by the Supreme Court of Judicature (Ireland) (No. 2) Act, 1897 :

"Official assignee" means the official assignee appointed in Northern Ireland under section fifty-nine of the Irish Bankrupt and Insolvent Act, 1857, as amended by section four of the Supreme Court of Judicature (Ireland) (No. 2) Act, 1897 :

"Trustee" where used in relation to a bankruptcy means a trustee appointed by the creditors of a bankrupt under the provisions of the Act of 1872 :

“Gazette” means the Belfast Gazette:

A.D. 1929  
—

“Property” includes money, goods, things in action, land, and every description of property, whether real or personal and whether situate in Northern Ireland or elsewhere, and also obligations, easements, and every description of estate, interest, and profit, present or future, vested or contingent, arising out of or incident to property as hereinbefore defined:

Other expressions defined or explained by the Act of 1857, or the Act of 1872, have the same respective meanings as they have in the said Acts.

(2) References in this Act to enactments of the Parliament of the United Kingdom shall be construed as references to those enactments as they apply in Northern Ireland.

**29.** The enactments set out in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule. Repeal.

**30.—(1)** This Act may be cited as the Bankruptcy Amendment Act (*Northern Ireland*), 1929. Short title,  
construction,  
and citation.

(2) This Act shall be construed as one with the Act of 1857, the Act of 1872, and the Act of 1889, and those Acts and this Act may be cited together as the Bankruptcy Acts (*Northern Ireland*), 1857 to 1929.

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## FIRST SCHEDULE.

Section 7.

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### PROOF BY SECURED CREDITORS.

1. If a secured creditor realises his security, he may prove for the balance due to him, after deducting the net amount realised.

2. If a secured creditor surrenders his security to the official assignee or trustee for the general benefit of the creditors, he may prove for his whole debt.

3. If a secured creditor does not either realise or surrender his security, he shall, before ranking for dividend, state in his proof the particulars of his security, the date when it was given, and the value at which he assesses it, and shall be entitled to receive a dividend only in respect of the balance due to him after deducting the value so assessed.

A.D. 1929.  
—

4.—(a) Where a security is so valued the official assignee or trustee may at any time redeem it on payment to the creditor of the assessed value.

(b) If the official assignee or trustee is dissatisfied with the value at which a security is assessed, he may require that the property comprised in any security so valued be offered for sale at such times and on such terms and conditions as may be agreed on between the creditor and the official assignee or trustee, or as, in default of such agreement, the court may direct. If the sale be by public auction the creditor, or the official assignee or trustee on behalf of the estate, may bid or purchase.

(c) Provided that the creditor may at any time, by notice in writing, require the official assignee or trustee to elect whether he will or will not exercise his power of redeeming the security or requiring it to be realised, and if the official assignee or trustee does not, within six months after receiving the notice, signify in writing to the creditor his election to exercise the power, he shall not be entitled to exercise it; and the equity of redemption, or any other interest in the property comprised in the security which is vested in the official assignee or trustee, shall vest in the creditor, and the amount of his debt shall be reduced by the amount at which the security has been valued.

5. Where a creditor has so valued his security, he may at any time amend the valuation and proof on showing to the satisfaction of the court that the valuation and proof were made bona fide on a mistaken estimate, or that the security has diminished or increased in value since its previous valuation; but every such amendment shall be made at the cost of the creditor, and upon such terms as the court shall order.

6. Where a valuation has been amended in accordance with the foregoing rule, the creditor shall forthwith repay any surplus dividend which he may have received in excess of that to which he would have been entitled on the amended valuation, or, as the case may be, shall be entitled to be paid out of any money, for the time being available for dividend, any dividend or share of dividend which he may have failed to receive by reason of the inaccuracy of the original valuation, before that money is made applicable to the payment of any future dividend, but he shall not be entitled to disturb the distribution of any dividend declared before the date of the amendment.

7. If a creditor after having valued his security subsequently realises it, or if it is realised under the provisions of rule 4, the net amount realised shall be substituted for the amount of any valuation previously made by the creditor, and shall be treated in all respects as an amended valuation made by the creditor.

8. If a secured creditor does not comply with the foregoing rules he shall be excluded from all share in any dividend.

9. Subject to the provisions of rule 4, a creditor shall in no case receive more than twenty shillings in the pound, and interest, where the creditor is entitled to prove for interest.

SECOND SCHEDULE.  
ENACTMENTS REPEALED.

A.D. 1929.  
Section 29.

| Session and Chapter.     | Short Title.                                  | Extent of Repeal.                                                                                   |
|--------------------------|-----------------------------------------------|-----------------------------------------------------------------------------------------------------|
| 20 & 21 Vict.,<br>c. 60. | The Irish Bankrupt and Insolvent Act, 1857.   | Sections three hundred and fourteen, three hundred and forty-six and three hundred and forty-seven. |
| 35 & 36 Vict.,<br>c. 58. | The Bankruptcy (Ireland) Amendment Act, 1872. | Paragraph 5 of section twenty-one, and section fifty-two.                                           |
| 45 & 46 Vict.,<br>c. 75. | The Married Women's Property Act, 1882.       | Sub-section (5) of section one, and section three.                                                  |

CHAPTER 2.

An Act to amend the law relating to Stamp Duty in certain cases, and to make further provision in connection with Finance. [11th July, 1929.]

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

Relief from double stamp duty on solicitors' certificates.

1.—(1) Whenever a person who—

- (a) at the passing of this Act was entitled to practise as a solicitor in the Irish Free State and also in Northern Ireland, or would have been entitled so to practise but for his having entered into a contract to the contrary, or his having omitted to obtain one or both of the stamped certificates in that behalf required by law, or for both those reasons ; and
- (b) holds a certificate for the time being in force issued to him by the Registrar of the Incorporated Law Society of Ireland after the fifth day of January, nineteen hundred and thirty, and duly stamped according to the law of the Irish Free State ; and

A.D. 1929.

(c) holds an unstamped certificate issued to him by the Registrar for Northern Ireland after the fifth day of January, nineteen hundred and thirty, which, if duly stamped, would for the time being be in force ;

54 & 55 Vict.,  
c. 39.

requires the Ministry of Finance under section twelve of the Stamp Act, 1891 (as that Act applies in Northern Ireland) to express its opinion as to whether such unstamped certificate is chargeable with any duty and as to the amount of such duty (if any), the said Ministry, when forming its said opinion, shall deem such unstamped certificate to be duly stamped within the meaning of section forty-three of the Stamp Act, 1891 (as that Act applies in Northern Ireland) to the extent of the amount of duty with which the certificate mentioned in the foregoing paragraph (b) appears to be stamped according to the law of the Irish Free State.

(2) This section shall cease to be in force if and when any legislation, which may be passed by the Parliament of the Irish Free State giving relief in respect of the duty on certificates issued by the Registrar of the Incorporated Law Society of Ireland corresponding to the relief given by this section in respect of the duty on certificates issued by the Registrar for Northern Ireland, ceases to be in force in the Irish Free State.

(3) In this section the expression "Registrar for Northern Ireland" means the person for the time being appointed by the Incorporated Law Society of Northern Ireland to have in respect of Northern Ireland the powers, and to perform in respect thereof the duties, which are by the Solicitors (Ireland) Act, 1898 (as that Act applies in Northern Ireland) provided in the case of the registrar of solicitors.

61 & 62 Vict.,  
c. 17.Payments  
into and out  
of Rating  
Relief  
Suspense  
Account19 & 20 Geo. 5  
c. 3.

2.—(1) The ultimate annual surplus of each of the three financial years ending respectively on the thirty-first day of March, nineteen hundred and twenty-eight, the thirty-first day of March, nineteen hundred and twenty-nine, and the thirty-first day of March, nineteen hundred and thirty, shall be paid into the Rating Relief Suspense Account established by the Exchequer and Financial Provisions Act (*Northern Ireland*), 1929, and not to the purposes referred to in section two of the



Exchequer and Financial Provisions Act (Northern Ireland), 1923 (as amended by subsequent enactments).

For the purpose of this sub-section the ultimate annual surplus of a financial year shall be taken to be the sum which may ultimately be found to represent that surplus after all such adjustments as are referred to in section one of the Exchequer and Financial Provisions Act (Northern Ireland), 1927, and as relate to any of the three years aforesaid, have been brought in pursuance of that section into the account of the year to which such adjustments relate.

A.D. 1929.

13 Geo. 5,  
c. 5,17 & 18 Geo. 5,  
c. 10,

(2) There shall be paid out of the said Rating Relief Suspense Account in the financial year ending on the thirty-first day of March, nineteen hundred and thirty, the sum of two hundred and fifty-six thousand pounds, and the said sum shall be applied in aid of moneys provided by Parliament, under any Act of the present session, for the purpose of deficiency contributions to local authorities towards making good the losses of those authorities occurring by reason of such Act.

3. This Act may be cited as the Finance Act (Northern Ireland), 1929.

Short title.

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### CHAPTER 3.

An Act to amend the Weeds and Agricultural Seeds (Ireland) Act, 1909, in its application to noxious weeds. [11th July, 1929.]

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

1. The following section shall be substituted for section one of the Weeds and Agricultural Seeds (Ireland) Act, 1909, as that Act applies in Northern Ireland (in this Act referred to as "the principal Act") :—

Amendment  
as to  
declaration  
of noxious  
weeds.  
9. Edw. 7,  
c. 31.

"1.—(1) The Ministry of Agriculture may make an order declaring that throughout Northern

A.D. 1929.

Ireland all plants of any species to which this section applies are noxious weeds for the purposes of this Part of this Act.

(2) The species of plant to which this section applies are ragwort, thistle, dock and ox-eye daisy, and the order may include all or any of those species.

(3) The Ministry of Agriculture may revoke or vary any order made under this section."

Provisions  
as to  
administra-  
tion of Acts.

2.—(1) Sub-section (1) of section two of the principal Act shall have effect as if the references therein to the Ministry of Agriculture included references to officers of that Ministry.

(2) Officers and constables of the Royal Ulster Constabulary shall, if authorised for the purpose by the Minister of Home Affairs, have power to act in the execution of Part I. of the principal Act and this Act as if they were officers of the Ministry of Agriculture; and, accordingly, references in the principal Act, as amended by this Act, to officers of the said Ministry shall be deemed to include references to officers or constables of the Royal Ulster Constabulary so authorised.

Amendment  
as to  
penalties  
and de-  
struction of  
noxious  
weeds.

3.—(1) In sub-section (2) of section two of the principal Act, for the words "not exceeding, for the first offence, five pounds, and, for the second or any subsequent offence, ten pounds," there shall be substituted the words "of one pound, or any greater sum not exceeding three pounds, for the first offence, and of two pounds, or any greater sum not exceeding five pounds, for the second or any subsequent offence."

(2) Without prejudice to the provisions of sub-section (2) of section two of the principal Act, the Ministry of Agriculture may, in default of compliance with a notice served under the said section, and after the time specified in the notice, carry out the requisition of the notice, doing no unnecessary damage, and may recover the cost summarily or in the county court as a debt due by the occupier upon whom the notice was served.

Section three of the principal Act shall apply for the purpose of this sub-section as it applies for the purpose specified in the said section.

4.—(1) A prosecution for an offence under the principal Act shall not be instituted except by or with the consent of the Ministry of Agriculture.

A.D. 1929.

Amendments  
as to pro-  
secutions  
and appli-  
cation of  
penalties.

(2) All penalties recovered under the principal Act as amended by this Act shall, notwithstanding anything in any enactment, be paid to the Ministry of Agriculture, and the amount so recovered and all other sums received under this Act by the said Ministry shall be paid to the Exchequer of Northern Ireland, except so far as they may be appropriated in aid of the moneys provided by Parliament for defraying the expenses of carrying the principal Act and this Act into effect.

5.—(1) This Act may be cited as the Noxious Weeds Act (*Northern Ireland*), 1929, and shall be construed as one with the principal Act; and the principal Act and this Act may be cited together as the Weeds and Agricultural Seeds Acts (*Northern Ireland*), 1909 and 1929.

Short title,  
construction  
and repeal.

(2) The following enactments of the principal Act are hereby repealed:—

Sub-section (2) of section eight;

In section nine, the words “in any county to which the order applies.”

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## CHAPTER 4.

An Act to amend the Loans Guarantee Acts (*Northern Ireland*), 1922 to 1928, by increasing the amount of loans which may be guaranteed under the said Acts and extending the period within which the Ministry of Finance may give guarantees thereunder. [11th July, 1929.]

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

A.D. 1929.

Increase of  
amount of  
loans and  
extension of  
period for  
giving of  
guarantees.  
12 & 13  
Geo. 5, c. 24.

1.—(1) The maximum limit on the aggregate capital amount of the loans, the principal or interest of which may be guaranteed under sub-section (1) of section one of the Loans Guarantee Act (*Northern Ireland*), 1922, as amended by subsequent enactments of the Loans Guarantee Acts (*Northern Ireland*), 1922 to 1928, shall be increased from eleven million, five hundred thousand pounds to fourteen million pounds.

(2) The power of the Ministry of Finance to give guarantees in respect of loans under the said section, amended as aforesaid, may be exercised at any time up to and including the thirty-first day of March, nineteen hundred and thirty-one.

Short title  
and citation

2. This Act may be cited as the Loans Guarantee Act (*Northern Ireland*), 1929, and the Loans Guarantee Acts (*Northern Ireland*), 1922 to 1928, and this Act may be cited together as the Loans Guarantee Acts (*Northern Ireland*), 1922 to 1929.

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## CHAPTER 5.

An Act to amend certain enactments relating to  
Government Loans. [11th July, 1929.]

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of *Northern Ireland* in this present Parliament assembled, and by the authority of the same, as follows :—

Amendment  
of enact-  
ments re-  
stricting the  
issue of  
money for  
Government  
Loans.

1.—(1) The Ministry of Finance may from time to time issue from the Government Loans Fund for the purpose of Government Loans such sums as may be for the time being required therefor, and the advance by the said Ministry of money for that purpose shall not be subject to the authority of an annual Act of Parliament :

Provided that the Ministry of Finance shall not, unless and until Parliament otherwise determines, issue for the purpose of Government Loans, in addition to any sums before the passing of this Act authorised to be advanced for that purpose, any sums which will exceed a sum of two million seven hundred and fifty thousand pounds.

(2) Any part of the sum of four million two hundred and fifty thousand pounds, the issue of which was authorised by sub-section (3) of section one of the Government Loans and Exchequer Provisions Act (Northern Ireland), 1925, as amended by section one of the Exchequer and Financial Provisions Act (Northern Ireland), 1926, may, notwithstanding those enactments, be issued for the purpose of Government Loans after the thirty-first day of March, nineteen hundred and twenty-nine, and this sub-section shall have effect as from the said day.

A.D. 1929.

15 & 16 Geo. 5,  
c. 17.  
16 & 17 Geo. 5,  
c. 27.

(3) The provisions of Part I. of the Government Loans and Exchequer Provisions Act (Northern Ireland), 1925, with respect to annual Acts of Parliament authorising advances of money for Government Loans, shall cease to have effect.

2. The power of the Ministry of Finance, under section five of the Public Works Loans Act, 1897 (as amended by sub-section (2) of section five of the Exchequer and Financial Provisions Act (Northern Ireland), 1923) to charge and recover interest on arrears of the principal and interest of certain loans shall be exerciseable as respects all loans which may be issued out of the Government Loans Fund after the passing of this Act; and the rate of the interest payable to the said Ministry under the said section in the case of such loans shall be such rate, not exceeding six and a half per cent. per annum, as the said Ministry may from time to time determine.

Amendment  
of s. 5 of  
60 & 61 Vict.,  
c. 51.  
13 & 14  
Geo. 5, c. 4.

3. This Act may be cited as the Government Loans (Amendment) Act (Northern Ireland), 1929.

Short title.

## CHAPTER 6.

An Act to amend sub-section (2) of section five of the Local Government Act (Northern Ireland), 1922, and the Promissory Oaths Act (Northern Ireland), 1923, in their application to school teachers.  
[11th July, 1929.]

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of

A.D. 1929

Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Provisions as  
to oath and  
declaration  
of allegiance  
in case of  
school  
teachers.  
13&14 Geo. 5  
c. 7.

12&13 Geo. 5  
c. 16.

1.—(1) Where any person, being a school teacher to whom the Promissory Oaths Act (Northern Ireland), 1923 (in this Act referred to as “the Act of 1923”) applies, has duly taken, whether before or after the passing of this Act, the oath by the Act of 1923 required to be taken, the taking of the said oath by such person shall, for the purposes of sub-section (2) of section five of the Local Government Act (Northern Ireland), 1922 (in this Act referred to as “the Act of 1922”), be deemed to have been, or to be, a full compliance with the provisions of the said sub-section in the case of that person.

(2) Where, in respect of any office of or employment as a school teacher, a person has, whether before or after the passing of this Act, duly taken the oath of allegiance under the Act of 1923, or duly made and subscribed a declaration of allegiance under sub-section (2) of section five of the Act of 1922, or is by this Act deemed to have duly made and subscribed such declaration, the oath or declaration shall be deemed to be binding on that person in respect of any other office of or employment as a school teacher which that person may subsequently have received or receive, and that person shall be deemed to have fully complied with the Act of 1923, and with sub-section (2) of section five of the Act of 1922, or with either of those enactments, in respect of such other office or employment as aforesaid.

Short title.

2. This Act may be cited as the School Teachers (Oath and Declaration) Act (Northern Ireland), 1929.

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## CHAPTER 7.

An Act to apply a Sum out of the Consolidated Fund of Northern Ireland to the service of the year ending on the thirty-first day of March, nineteen hundred and thirty, and to appropriate the Supplies granted in this Session of Parliament.

[11th July, 1929.]

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, for the purpose of making good the supply and applying the sums which the House of Commons have, in pursuance of recommendations from the Governor of Northern Ireland, granted to His Majesty in this Session of Parliament, as follows:—

A.D. 1929.

## GRANT OUT OF CONSOLIDATED FUND.

1. The Ministry of Finance may issue out of the Consolidated Fund of Northern Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, nineteen hundred and thirty, the sum of five million, fifty thousand, six hundred and twenty-seven pounds.

Issue of  
£5,050,627  
out of the  
Consolidated  
Fund for the  
service of the  
year ending  
31st March,  
1930

2.—(1) The Ministry of Finance may borrow from any person, by the issue of Treasury Bills or otherwise, on the credit of the said sums, any sum or sums not exceeding in the whole two million, five hundred thousand pounds.

Power for  
the Ministry  
of Finance  
to borrow.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March, nineteen hundred and thirty, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills) shall not apply with respect to those Bills.

40 & 41  
Vict., c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with any interest due thereon, out of the growing produce of the said Consolidated Fund at any date not later than the quarter next succeeding to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer of Northern Ireland, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

## APPROPRIATION OF GRANTS.

3. The sum granted by this Act out of the said Consolidated Fund towards making good the supply

Appropriation of  
grants.

A.D. 1929.

granted to His Majesty is appropriated for the several services and purposes expressed in this Act.

In addition to the sums hereby granted out of the said Consolidated Fund, there may be applied as appropriations in aid of the grants for the several services and purposes specified in the Schedule of this Act the sums respectively set forth in the last column of the said Schedule, and any of the sums set forth in that column may be so applied, notwithstanding that some part thereof may be derived from sums granted by Act of Parliament for other services specified in the said Schedule.

Declaration  
required in  
certain cases  
before  
receipt of  
sums appro-  
priated.

4.—(1) A person shall not receive any payment out of a grant which may be made in pursuance of this Act for civil or police non-effective services, until he has subscribed such declaration as may from time to time be prescribed by a warrant of the Ministry of Finance before one of the persons prescribed by the warrant :

Provided that the Ministry of Finance may dispense with the production of a declaration under this section in respect of any payment if such a declaration has been subscribed within a period of three calendar months preceding the date of the payment.

(2) Any person who makes a declaration for the purpose of this section knowing the same to be untrue in any material particular shall be guilty of a misdemeanour.

Short title.

5. This Act may be cited as the Appropriation Act (Northern Ireland), 1929 (Session 2).



## SCHEDULE.

A D. 1929.

SCHEDULE of sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March, 1930, viz. :—

|     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Sums<br>Granted. | Appropriations<br>in Aid. |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|---------------------------|
| No. | CLASS I.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | £                | £                         |
| 1.  | For the salaries and expenses of the Senate and of the House of Commons, including a grant in aid ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 20,352           | 250                       |
| 2.  | For the salaries of the Department of the Prime Minister and the salaries of the Cabinet Secretariat, including the expenses of the Privy Council Office .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                              | 7,984            | —                         |
| 3.  | For a grant in aid of the Government Hospitality Fund .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 1,150            | —                         |
| No. | CLASS II.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                  |                           |
| 1.  | For the salaries and expenses of the Ministry of Finance, including the cost of administration of revenue services, valuation, registration, loan services, public works, charity funds, Stationery Office, teachers' pensions, Civil Service Commission, Ulster Savings Certificates, Loans Guarantee Acts (Northern Ireland), 1922 to 1928, Land Law Acts, collection of land purchase annuities and tithe rent charges, Intoxicating Liquor Acts (Northern Ireland), 1923, 1925 and 1927, the Census of Northern Ireland, 1926, Freight Rebates Fund, and sundry agency services and for a grant in aid .. | 101,619          | 20,070                    |
| 2.  | For the expenses of the Department of the Comptroller and Auditor-General .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 2,836            | 171                       |
| 3.  | For expenditure in respect of public works and buildings including expenses of a dredger and auxiliary craft .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 203,497          | 121,625                   |
| 4.  | For stationery, printing, paper, binding, books and office supplies for the public service and for the Houses of Parliament and for the production of the Belfast Gazette .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                             | 1,990            | 26,265                    |

A.D. 1929.

| No. | CLASS II.—Continued.                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Sums<br>Granted. | Appropriations in Aid. |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------------|
|     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | £                | £                      |
| 5.  | For superannuation, compensation, compassionate, and additional allowances and gratuities under the Superannuation Acts (Northern Ireland), 1921 to 1925; pensions and gratuities under the Civil Pensions Act (Northern Ireland), 1925, the Land Purchase (Ireland) Act, 1891, and the Church Temporalities Fund Act (Northern Ireland), 1922; non-statutory gratuities awarded by the Ministry of Finance; and in respect of workmen's compensation insurance .. .. . | 4,325            | —                      |
| 6.  | For the salaries, allowances and expenses of the County Court service and of Resident Magistrates, and sundry miscellaneous legal expenses, including certain grants in aid ..                                                                                                                                                                                                                                                                                          | 16,555           | 3,810                  |
| 7.  | For the expenses in respect of secret services .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                  | 1,700            | —                      |
| 8.  | For the salaries and expenses of the Public Record Office and the cost of the administration of the Ancient Monuments Act (Northern Ireland), 1926 .. .. .                                                                                                                                                                                                                                                                                                              | 2,699            | 80                     |
| 9.  | For a grant to the Freight Rebates Fund .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                         | 4,238            | —                      |
| No. | CLASS III.                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                  |                        |
| 1.  | For the salaries and expenses of the Ministry of Home Affairs ..                                                                                                                                                                                                                                                                                                                                                                                                        | 38,210           | 11,580                 |
| 2.  | For the salaries and expenses of the Royal Ulster Constabulary, including police women .. ..                                                                                                                                                                                                                                                                                                                                                                            | 495,747          | 87,180                 |
| 3.  | For the salaries and expenses of the Special Constabulary .. ..                                                                                                                                                                                                                                                                                                                                                                                                         | 40,215           | 16,200                 |
| 4.  | For the expenses of criminal prosecutions and other law charges, including the expenses of civil litigation and grants in relief of certain expenses payable by statute out of local rates .. .. .                                                                                                                                                                                                                                                                      | 11,310           | 125                    |
| 5.  | For the expenses of prisons and the maintenance of criminal lunatics ..                                                                                                                                                                                                                                                                                                                                                                                                 | 28,618           | 7,815                  |
| 6.  | For the expenses of the Borstal Institution, reformatory and industrial schools, and places of detention ..                                                                                                                                                                                                                                                                                                                                                             | 9,694            | 9,873                  |

|                           |                                                                                                                                                                                                                                                 | Sums<br>Granted. | Appropriations in Aid. | A.D. 1929. |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------------|------------|
| No. CLASS III.—Continued. |                                                                                                                                                                                                                                                 | £                | £                      |            |
| 7.                        | For grants to local authorities in respect of health, housing, etc., and in relief of local rates .. ..                                                                                                                                         | 581,876          | 256,000                |            |
| No. CLASS IV.             |                                                                                                                                                                                                                                                 |                  |                        |            |
| 1.                        | For the salaries and certain expenses of the Ministry of Labour .. ..                                                                                                                                                                           | 106,259          | 106,130                |            |
| 2.                        | For the contributions and grants in aid of the cost of benefits and expenses of administration under the National Health Insurance Acts .. ..                                                                                                   | 106,000          | —                      |            |
| 3.                        | For the contributions to the Unemployment Fund under the Unemployment Insurance Acts, and the Exchequer equalisation grant to the Unemployment Fund under the Unemployment Insurance (Agreement) Act (Northern Ireland), 1926 .. ..             | 640,000          | —                      |            |
| 4.                        | For grants to local authorities, etc., for assistance in carrying out approved schemes to provide employment; for expenses in connection with training centres; and for advances to workpeople for fares under the Labour Exchanges Act, 1909.. | 115,417          | 200                    |            |
| 5.                        | For the sum payable to the Ministry of Finance Pensions Account in accordance with the provisions of the Widows, Orphans, and Old Age Contributory Pensions Act (Northern Ireland), 1925 .. ..                                                  | 105,000          | —                      |            |
| 6.                        | For old age pensions under the Old Age Pensions Acts and under the Widows' Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1925, and for pensions under the Blind Persons Act, 1920                                          | 900,700          | 300                    |            |
| No. CLASS V.              |                                                                                                                                                                                                                                                 |                  |                        |            |
| 1.                        | For the salaries and expenses of the Ministry of Education .. ..                                                                                                                                                                                | 46,870           | —                      |            |
| 2.                        | For the expenses of educational services                                                                                                                                                                                                        | 1,268,256        | 31,900                 |            |
| No. CLASS VI.             |                                                                                                                                                                                                                                                 |                  |                        |            |
| 1.                        | For the salaries and expenses of the Ministry of Agriculture .. ..                                                                                                                                                                              | 48,722           | 45                     |            |

A.D. 1929.

| No.                                                                                                                                                                                                                                                                                          | Sums<br>Granted. | Appropriations in Aid. |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------------|
|                                                                                                                                                                                                                                                                                              | £                | £                      |
| No. CLASS VI—continued.                                                                                                                                                                                                                                                                      |                  |                        |
| 2. For the expenses of the Ministry of Agriculture in respect of agricultural education and research, improvement of live stock, agricultural development, agricultural statistics, afforestation and diseases of animals, including sundry grants in aid and certain capital expenditure .. | 85,536           | 11,918                 |
| 3. For the salaries and expenses of the Ministry of Agriculture in respect of Ordnance Survey and Geological Survey .. .. .                                                                                                                                                                  | 5,407            | 1,300                  |
| No. CLASS VII.                                                                                                                                                                                                                                                                               |                  |                        |
| 1. For the salaries and expenses of the Ministry of Commerce .. .. .                                                                                                                                                                                                                         | 14,405           | 1,136                  |
| 2. For the expenses of the Ministry of Commerce in respect of harbours and railway, fishery and commercial services, including certain grants in aid .. .. .                                                                                                                                 | 33,440           | 4,210                  |

## CHAPTER 8.

An Act to permit the issue by Friendly Societies and Industrial Assurance Companies in Northern Ireland of policies of assurance on the duration of certain lives for a specified period, to validate certain endowment policies issued by such societies and companies, to exclude repayments of premiums under endowment policies from the computation of the maximum sums which may be paid on death by such societies and companies, and to make provision as to the rights of owners of certain endowment policies upon the surrender thereof.

[11th July, 1929.]

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

A.D. 1929.

1.—(1) Amongst the purposes for which registered friendly societies and industrial assurance companies may issue policies of assurance, there shall be included insuring money to be paid to the member or person assured on the duration for a specified period of the life of his parent, child, grand-parent, grandchild, brother or sister, either with or without provision for the payment of money in the event of the death of any such person before the expiration of the period :

Extension  
of purposes  
for which  
policies  
may be  
issued.

Provided that no such society or company shall insure or pay on the death of any person under such a policy as aforesaid, issued after the commencement of this Act, any sum of money exceeding a reasonable amount for funeral expenses.

(2) The issuing of such policies by a collecting society or an industrial assurance company shall, unless the premiums in respect thereof are payable at intervals of two months or more, be treated as part of the industrial assurance business of the society or company.

(3) In relation to such policies, sub-section (4) of section four of the Industrial Assurance Act (Northern Ireland), 1924 (which makes provision as to the persons to whom payments may be made on the death of a child under ten years of age) shall, in lieu of section sixty-three of the Friendly Societies Act, 1896, apply to all registered friendly societies as it applies to collecting societies.

14 & 15 Geo. 5,  
c. 21.

59 & 60 Vict.,  
c. 25.

2. For the purpose of calculating the maximum sum which may be insured or paid under the last foregoing section or under section sixty-two of the Friendly Societies Act, 1896, no account shall be taken of any repayment of the whole or any part of the premiums paid in respect of any endowment policy, and sections sixty-three to sixty-six of that Act and sub-section (4) of section four of the Industrial Assurance Act (Northern Ireland), 1924, shall not apply as respects any such repayment.

Provisions  
as to re-  
payment of  
premiums.

A.D. 1929.

Rights of  
 owners of  
 certain  
 endowment  
 policies.

3.—(1) Where under any policy to which this section applies not less than one year's premiums have been paid, the owner of the policy shall be entitled at any time within one year from the date on which the last premium was paid or, if no premium has been paid since the date of the commencement of this Act, within one year from that date, to surrender the policy and to claim either—

- (a) a free paid-up policy in conformity with the rules contained in the Schedule to this Act ; or
- (b) payment of a surrender value equal to ninety per cent. of the value of the sum or sums payable under such a free paid-up policy as aforesaid, calculated in accordance with the last four rules contained in the Fourth Schedule to the Industrial Assurance Act (Northern Ireland), 1924,

and if any society or company fails to comply with any claim made in accordance with the provisions of this sub-section, then, without prejudice to any other liability, the society or company shall, in the case of a friendly society not being a collecting society, be guilty of an offence under the Friendly Societies Act, 1896, and, in the case of a collecting society or industrial assurance company, be guilty of an offence under the Industrial Assurance Act (Northern Ireland), 1924.

(2) This section applies to any policy issued, or deemed under this Act to have been issued, in accordance with the provisions of section one of this Act and to any other endowment policy issued on the life of a child under ten years of age, being in either case a policy in force at some time after the thirty-first day of December, nineteen hundred and twenty-four.

(3) Every policy to which this section applies and every premium receipt book in respect of such a policy, being a policy or book issued after the thirtieth day of September, nineteen hundred and twenty-nine, by a collecting society or an industrial assurance company, shall set out the provisions of this section, and of the Schedule to this Act, printed in distinctive type, or, if the Industrial Assurance Commissioner for Northern Ireland consents, a statement in lieu thereof which, in the opinion of the said Commissioner, sufficiently sets forth the effect

of those provisions ; and no registered friendly society shall, after the thirtieth day of September, nineteen hundred and thirty, issue any policy to which this section applies unless the rules of the society contain a rule which, in the opinion of the officer appointed by the Government of Northern Ireland to perform in Northern Ireland the functions of Registrar of Friendly Societies, sufficiently sets forth the effect of the said provisions.

A.D. 1929.  
—

(4) If any such policy or premium receipt book as aforesaid does not comply with the provisions of the last foregoing sub-section, or if any policy is issued in contravention of the said provisions, the society or company effecting the insurance shall in the case of a friendly society, not being a collecting society, be guilty of an offence under the Friendly Societies Act, 1896, and, in the case of a collecting society or industrial assurance company, be guilty of an offence under the Industrial Assurance Act (Northern Ireland), 1924.

(5) Every collecting society and industrial assurance company shall cause every collector of the society or company to deliver, at least once within three months after the commencement of this Act, at every house or other place at which he makes a visit for the purpose of receiving a premium payable on a policy of insurance on human life, a notice, in a form approved by the said Commissioner, setting forth the effect of the provisions of this section and of the Schedule to this Act, and if any collector fails to deliver any notice in accordance with the requirements of this sub-section he and the society or company of which he is a collector shall be guilty of an offence under the Industrial Assurance Act (Northern Ireland), 1924.

4. Any endowment policy issued before the first day of January, nineteen hundred and twenty-five, which would have been in force on that date if this Act had been in operation on and from the date on which the policy was issued shall be deemed for the purposes of this Act to have been in force on the said first day of January and, in the case of a policy of the description mentioned in section one of this Act, to have been issued in accordance with the provisions of that section, and as respects any endowment policy in force on, or issued since,

Retro-  
spective  
operation of  
Act.

A.D. 1929

that date, this Act shall be deemed to have been in operation on and from the date on which the policy was issued.

Short title,  
citation and  
construction.

5.—(1) This Act may be cited as the Industrial Assurance and Friendly Societies Act (Northern Ireland), 1929, and the Industrial Assurance Acts (Northern Ireland), 1924 and 1926, and this Act may be cited together as the Industrial Assurance Acts (Northern Ireland), 1924 to 1929 ; and the Friendly Societies Acts, 1896 and 1908 (as amended by section four of the Industrial Assurance Act (Northern Ireland), 1924) and this Act may be cited together as the Friendly Societies Acts (Northern Ireland), 1896 to 1929.

(2) For the purposes of this Act—

“ Policy ” includes any contract of assurance and the date of the making of any such contract shall be deemed to be the date of the issue of a policy ;

“ Endowment policy ” means a policy issued or deemed under this Act to have been issued in accordance with the provisions of section one of this Act, or a policy insuring money to be paid on the duration for a specified period of the life of the member or person assured, either with or without provision for the payment of money in the event of the death of that person before the expiration of the period ;

“ Registered friendly society ” includes a friendly society registered in Great Britain which has recorded its rules in Northern Ireland under section fourteen of the Friendly Societies Act, 1896 ;

“ Industrial assurance company ” and “ collecting society ” have the same meanings as in section one of the Industrial Assurance Act (Northern Ireland), 1924.

(3) References in this Act to the Friendly Societies Act, 1896, shall be construed as references to that Act as it applies in Northern Ireland, and this Act in its application to collecting societies and industrial assurance companies shall be construed as one with the Industrial Assurance Acts (Northern Ireland), 1924 and 1926,



and in its application to friendly societies, not being collecting societies, shall be construed as one with the Friendly Societies Acts, 1896 and 1908 (as those Acts apply in Northern Ireland). A.D. 1929.

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## SCHEDULE.

Section 3.

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### RULES AS TO FREE PAID-UP POLICIES.

1. The free paid-up policy shall assure payment on the events on which the sums assured by the surrendered policy were payable, of sums bearing the same proportion to those sums (including any addition by way of bonus) as the amount of the premiums actually paid under the surrendered policy bears to the amount of the premiums which would have been payable under the surrendered policy had the full number of premiums become payable thereunder :

Provided that, where any sum has been paid by the society or company under the surrendered policy, before the surrender thereof, the sums assured by the free paid-up policy shall be computed on such basis as may be approved by the Industrial Assurance Commissioner for Northern Ireland.

2. Where the surrendered policy provided for payment of a sum by way of return of premium on any event, the free paid-up policy shall provide that on that event such part of the premiums actually paid under the surrendered policy shall be repaid as would have been repayable on that event if the surrendered policy had remained in force

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## CHAPTER 9.

An Act to enable certain local authorities to regulate the carrying on of trading in streets within their areas, and for purposes connected therewith.  
 [11th July, 1929.]

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

1.—(1) On and after the first day of January, nineteen hundred and thirty, it shall not be lawful for any person to sell, or expose or offer for sale, any article or thing from or upon any vehicle, barrow, cart, stall, or other

Licensing of  
 street  
 traders.

A.D. 1929.

17 & 18 Vict.,  
c. 103.

receptacle occupying a stationary position at a place in the carriage-way or footway of any street in an urban district (other than a county borough) or in a town not being an urban district but having commissioners under the Towns Improvement (Ireland) Act, 1854 (in this Act referred to as "the district") without a licence from the council or commissioners of the district (in this Act referred to as "the local authority") authorising such person so to do :

Provided that this section shall not apply to any person who, while moving his vehicle, barrow, cart, stall, or other receptacle from place to place in the district in pursuit of and while conducting his trade, sells or exposes or offers for sale therefrom or thereon any article or thing, and a stoppage by such person for the purpose of the delivery of such article or thing shall not be deemed to be an offence against this section.

(2) The provisions of this Act shall apply to a person selling, exposing, or offering articles or things for sale from or upon a place in the carriageway or footway of any such street as aforesaid, as if the sale, exposure or offer for sale took place from or upon a vehicle, barrow, cart, stall or other receptacle.

(3) For the purposes of this Act, the expression "street" includes any public place, square, or bridge which is maintained by the local authority.

Applications  
for licences,  
etc.

2.—(1) A person requiring a licence or the renewal of a licence under this Act shall make application in writing to the local authority, and shall in such application state his full name and address and the nature of the articles and things which he intends to sell or expose or offer for sale under the authority of the licence if granted, the place (if any) at which the articles or things will be stored by him before any sale or exposure or offer for sale, and the street or streets or area in which he intends so to sell or expose or offer for sale. In the case of any person intending to sell or expose or offer for sale as aforesaid any article or thing on, or within one month after, the first day of January, nineteen hundred and thirty, such application shall be made not later than the first day of December, nineteen hundred and twenty-nine.

(2) The local authority shall, as soon as reasonably practicable after the receipt of an application under the

provisions of this section, grant or renew a licence to the applicant under and for the purposes of this Act :

A D. 1929

Provided that the local authority may refuse to grant or renew a licence, or may at any time revoke or vary a licence granted to any person, if—

- (a) on account of misconduct or for any other sufficient reason he is in their opinion unsuitable to hold such licence ; or
- (b) the space available in the street or streets or area to which the application relates, or which is or are prescribed by the licence, is at the date of such application, or becomes at any time after the grant of such licence, insufficient for the selling or exposing or offering for sale by the applicant or licensee of any articles or things under the authority of a licence under this Act, or of the particular articles or things referred to in the application or licence, without causing undue interference with or inconvenience to the traffic in such street or streets or area ; or
- (c) the street or streets to which the application relates is or are not a street or streets ordinarily prescribed by the local authority in licences granted by them pursuant to this Act ;

but the local authority shall not refuse to grant or renew a licence or revoke a licence on the ground only that the applicant for or holder of the licence does not reside in their district.

(3) Any licence under this section shall be in a form prescribed by the Ministry of Home Affairs, and may contain conditions specifying—

- (a) the streets or area in which, and the position or place in any such street or area at which, the licensee may sell or expose or offer for sale articles or things as aforesaid ;
- (b) the classes of articles or things which may be sold or exposed or offered for sale under such licence ;
- (c) the days and the times on and at or during which the licensee may sell or expose or offer for sale articles or things as aforesaid ; and
- (d) the number of vehicles, barrows, carts, stalls or other receptacles which may be used for the said purposes under the authority of the licence ;

A.D. 1929.  
—

and on any occasion of the renewal of a licence the local authority may vary such conditions.

(4) A local authority shall not refuse to renew, nor shall they revoke or vary, any such licence unless they have given to the person applying for such renewal, or holding the licence proposed to be revoked or varied, not less than seven days' previous notice in writing that objections have been or will be taken to such renewal, or that a revocation or variation is proposed, and unless, on written application made within seven days after the receipt of such notice, they have afforded to such person an opportunity of being heard against such refusal, revocation or variation.

Fees for  
licences.

3. Any person making application for the grant or renewal of a licence under this Act shall, when making the same, pay to the local authority in respect of such application a fee of five shillings.

Duration of  
licences.

4. Every licence granted or renewed under this Act shall, unless revoked, be valid for a period expiring on the thirty-first day of December after such grant or renewal next ensuing, or if any annual meeting shall be appointed by the local authority to be held for the purpose of considering applications under this Act in the year next succeeding the said thirty-first day of December, until the date of such annual meeting so appointed.

Provided that every such licence granted before the first day of January, nineteen hundred and thirty shall, for the purposes of this section, be deemed to have been granted on the said first day of January.

Appeals  
against  
refusal or  
revocation  
of licences

5.—(1) If the local authority refuse to grant or renew a licence, or revoke or vary a licence, under this Act they shall, if required by the applicant or holder (as the case may be) deliver to him within seven days of the receipt of such requirement particulars in writing of the grounds for such refusal, revocation or variation.

(2) Any person aggrieved by such refusal, revocation or variation, or by any condition made by the local authority by means of a licence, may, within fourteen days after the date on which the refusal, revocation, variation or condition is notified to him, appeal against it to a court of summary jurisdiction constituted

of a resident magistrate, sitting alone or with other resident magistrates; and the decision of that court shall be final, and effect shall be given thereto by the local authority.

A.D. 1929.

(3) The following provisions shall have effect with respect to any such appeal:—

- (a) Notice in writing of the appeal and of the grounds thereof shall be given by the appellant to the clerk of the local authority;
- (b) The court may make such order in the matter as it considers reasonable, and may award costs to be recoverable as costs in cases of a civil nature are recoverable under section twenty-two of the Petty Sessions (Ireland) Act, 1851.

14 & 15 Vict.,  
c. 93.

(4) In this section the expression “resident magistrate” means a magistrate appointed under the Constabulary (Ireland) Act, 1836, as amended by section six of the Constabulary Act (*Northern Ireland*), 1922.

6 & 7 Will. 4,  
c. 13.  
12 & 13 Geo. 5,  
c. 8.

6.—(1) The local authority may make bye-laws for all or any of the following purposes:—

Bye-laws as  
to trading  
under  
licences.

- (a) For prescribing the days on which, and the times during which, articles or things may be sold or exposed or offered for sale under the authority of a licence granted or renewed under this Act;
- (b) For making provision with respect to the deposit and removal of refuse, and the charges which may be made for removal or other services rendered by the local authority;
- (c) For the allocation, maximum dimensions and arrangement of vehicles, barrows, carts, stalls and other receptacles;
- (d) For the storage and the sanitary supervision (while at the place of intended sale or exposure or offering for sale) of articles of food intended to be sold or exposed or offered for sale under the authority of the licence;
- (e) For prescribing any other conditions under which articles or things may be sold or exposed or offered for sale under the authority of the licence;

A.D. 1929.

(f) For prescribing penalties for the breach of any such bye-laws.

41 & 42 Vict.,  
c. 52.

(2) The provisions of sections two hundred and nineteen to two hundred and twenty-three, inclusive, of the Public Health (Ireland) Act, 1878, shall apply with respect to bye-laws made by a local authority under this section.

Any person who holds or requires a licence from a local authority under this Act shall have the same right as a ratepayer in the district of the local authority has, under section two hundred and twenty-one or two hundred and twenty-two of the Public Health (Ireland) Act, 1878 (applied as aforesaid), to inspect, or upon payment of the requisite sum to obtain, a copy of any by-law proposed or made by that local authority under this section.

Power of  
local  
authority to  
make charges  
for certain  
services.

7. The local authority may make, and recover from persons licensed by them under the provisions of this Act, charges for services rendered by them to any such person in removing refuse or otherwise, not exceeding the charges prescribed by bye-laws made under this Act.

Power of  
licensees to  
employ  
other  
persons.

8. Any person holding a licence under this Act may employ any other person to assist him in the conduct of his business without any further licence under this Act being required.

Penalties  
and legal  
proceedings.

9.—(1) Every person who, or whose assistant, after the first day of January, nineteen hundred and thirty, without a licence under this Act authorising him so to do, or contrary to any condition of such licence, sells or exposes or offers for sale any article or thing from or upon any vehicle, barrow, cart, stall or other receptacle occupying a stationary position at a place in the carriageway or footway of any street in the district, or obtains a licence or the renewal of a licence by wilful misrepresentation, shall be liable on summary conviction to a penalty not exceeding five pounds, and to a penalty not exceeding forty shillings for each day on which such offence is continued after conviction therefor :

Provided that a person who has appealed to a court of summary jurisdiction (except against a refusal to grant a new licence) in accordance with the provisions of this Act shall not be liable to any proceedings under this

section for the offence of selling or exposing or offering for sale, in the street or streets or area specified in the licence or application which is the subject of the appeal, any article or thing as aforesaid without a licence, until such appeal has been heard and determined, or has been abandoned.

A.D. 1929.

(2) Offences under this Act, or under any bye-law made under the powers of this Act, may be prosecuted, and penalties, costs and expenses recovered, in like manner and subject to the same provisions as offences which may be prosecuted, and penalties, costs and expenses which may be recovered, in a summary manner under the Public Health (Ireland) Acts, 1878 to 1918.

10.—(1) Where any rights, powers, or privileges are enjoyed by any person or persons entitling him or them to hold, or take tolls in respect of, a market in any street within the district (which rights, powers or privileges are in this Act referred to as “market rights”) the powers conferred upon the local authority by this Act shall not except in accordance with an agreement made with such person or persons entitled as aforesaid be exercised in relation to trading in such street, unless the local authority first acquire or extinguish such market rights; and the local authority may, for the purpose of enabling them to exercise the said powers make such agreement as aforesaid or may purchase compulsorily or extinguish such market rights in accordance with the following provisions of this section :

Power of local authority to acquire or extinguish market rights for purposes of Act.

Provided that no resolution for the compulsory purchase or extinguishment of market rights shall be passed by the local authority, except in compliance with the like requirements as are applicable to meetings and resolutions of a local authority for the purposes of section one hundred and three of the Public Health (Ireland) Act, 1878, and no such resolution shall have effect unless approved by an order of the Ministry of Home Affairs.

(2) Where the local authority resolve to purchase compulsorily or extinguish market rights under this section, the resolution shall be submitted to the Ministry of Home Affairs and notice thereof shall be published by the local authority in the prescribed manner, and such notice shall be given to the persons in whom the market rights are for the time being vested, or to such of the

A D. 1929.

said persons as are known to the local authority, as may be prescribed.

(3) On the expiration of one month after the publication of the resolution the Ministry of Home Affairs, after considering all objections to the resolution which may have been presented to the said Ministry by persons in whom the market rights are vested, and after causing a local inquiry to be held (if the said Ministry thinks it necessary to do so) as to the propriety of approving of the resolution, may make an order approving of the resolution. Notice of the making and effect of any such order shall be given by the local authority in the prescribed manner to such persons as may be prescribed.

If a local inquiry is held, the local authority and the persons in whom the market rights are vested, and such other persons as the person holding the inquiry in his discretion thinks fit to allow, shall be permitted to appear and be heard at the inquiry, and before making the order the Ministry of Home Affairs shall consider the report of the person who held the inquiry and all objections made thereat. Sub-sections (1) and (3) of article thirty-two of the Schedule to the Local Government (Application of Enactments) Order, 1898, and section six of the Local Government Act (*Northern Ireland*), 1923, shall apply for the purposes of the holding of any local inquiry under this sub-section.

13 & 14 Geo.5  
c. 31.

(4) As from a date to be specified in that behalf in any order made by the Ministry of Home Affairs as aforesaid, the market rights shall, by virtue of this section, be transferred to and vest in and be enjoyed by the local authority, or be wholly extinguished (as the case may require).

(5) Upon the transfer or extinguishment of any market rights under this section, any person in and by whom immediately before such transfer or extinguishment those rights were vested and exerciseable shall be entitled to receive, and shall be paid by the local authority, compensation for such loss, if any, as may have been sustained by him by the taking from him or extinguishment of such market rights as were theretofore regularly exercised by him or any predecessor in title: provided that, within two months after the date of such transfer or extinguishment, such person delivers to the local



authority a notice in writing of his claim for compensation containing such particulars as are required by section five of the Acquisition of Land (Assessment of Compensation) Act, 1919, to be given in the notices of claim referred to in that section.

A D. 1920.

9 & 10 Geo. 5.  
c. 57.

(6) Any compensation payable under the provisions of this section shall be of such amount as may be agreed between the local authority and the person claiming the same, or as (failing such agreement) shall be determined by the arbitration of an official arbitrator appointed by the Minister of Finance under the Acquisition of Land (Assessment of Compensation) Act, 1919, and such determination shall be made in accordance, as far as applicable, with the provisions of the said Act.

Any compensation so payable shall be paid to the person entitled thereto, as soon as practicable after the amount thereof has been agreed or determined as aforesaid, together with interest thereon at the rate of five per centum per annum calculated from the date of transfer or extinguishment of the market rights to the date of payment.

(7) Within three months after any payment of compensation as aforesaid, the local authority shall produce to the Ministry of Finance a copy of the order made by the Ministry of Home Affairs under sub-section (3) of this section, stamped with the same ad valorem duty in respect of such payment as would be payable upon a deed of release or renunciation of a right or interest in property (executed at the time of such payment) upon a sale made in consideration of such payment; and in default of such production the amount of the said duty, with interest thereon at the rate of five per centum per annum from the date of such payment, shall be a debt due to the Ministry of Finance from the local authority.

(8) The omission by the local authority to give the prescribed notice to any person in whom any market rights are vested, but the existence of whose interest therein was not known to the local authority, shall not affect the operation of the provisions of sub-section (4) of this section in relation to such market rights. The rights of any person entitled to compensation under this section to receive such compensation shall not be prejudiced by the omission of the local authority to give

A.D. 1929.

him the prescribed notice, but any claim for compensation by any person to whom the local authority omit to give such a notice shall not be entertained unless he delivers to the local authority, within twelve months after the date of transfer or extinguishment of the market rights, a notice in writing of his claim containing such particulars as are referred to in sub-section (5) of this section.

(9) The provisions of section one hundred and three of the Public Health (Ireland) Act, 1878, shall apply to a market in respect of which market rights are acquired by a local authority under this section, in like manner as those provisions apply to a market established by an urban authority under the said section one hundred and three.

(10) Anything required by this section to be prescribed shall be prescribed by regulations to be made by the Ministry of Home Affairs.

Application  
of Act to  
county  
boroughs and  
non-municipal  
towns.

11.—(1) The Ministry of Home Affairs may, on the application of the council of a county borough or rural district, by order to be published in such manner as the Ministry of Home Affairs directs, declare any provisions of this Act to be in force in the county borough, or in any non-municipal town within such rural district, and may, in the case of a county borough, declare any enactments in any local Act, which appear to the Ministry of Home Affairs to contain provisions similar to or inconsistent with any such provisions of this Act, to be no longer in force in that county borough.

Where any provisions of this Act are so declared to be in force, the council of the county borough or rural district shall be, as respects the borough or non-municipal town (as the case may require) the local authority for the purposes of this Act.

(2) A council shall, two weeks at least before applying for an order, give notice of their intention to make such application by advertising the same once at least in one or more of the newspapers circulating in the county borough or rural district in each of two successive weeks, and no order shall be made under this section until proof of such advertisement has been given to the satisfaction of the Ministry of Home Affairs, and until

at least one month has elapsed after the date of such advertisement.

A.D. 1929.

(3) Any such order may specify conditions subject to which any provision of this Act shall be in force in a county borough or in a non-municipal town, and where, in the opinion of the Ministry of Home Affairs, the circumstances so require, any such order may, in relation to such county borough or non-municipal town, declare any provision of this Act to be in force subject to such necessary adaptations as are specified in the order.

A statement of the effect of each order specifying conditions or adaptations as aforesaid shall be published in the *Belfast Gazette* as well as in any other manner directed by the Ministry of Home Affairs.

(4) In this Act the expression "non-municipal town" means such area, being a town which is not an urban district nor a town having commissioners under the Towns Improvement (Ireland) Act, 1854, as may be defined in an order under this section.

12.—(1) All expenses incurred or payable by a local authority in the execution of this Act, and not otherwise provided for, may be charged and defrayed as part of the expenses incurred by them in execution of the Public Health (Ireland) Acts, 1878 to 1918; and the compulsory purchase or extinguishment of market rights under this Act shall be a purpose for which the local authority may borrow money in accordance with the provisions of the said Public Health (Ireland) Acts.

Expenses of local authority, power to borrow, and application of fees.

The expenses incurred or payable by the council of a rural district in executing, as the local authority of a non-municipal town, any provisions of this Act which have been declared by the Ministry of Home Affairs to be in force in such town, shall be general expenses of that council, except so far as they may be determined by an order of the said Ministry to be special expenses chargeable upon an area consisting of such non-municipal town.

(2) All fees or other sums received by the local authority under this Act shall be paid into the fund applicable to the purposes of the said Public Health (Ireland) Acts.

(3) In the application of this section to a local authority being the commissioners of a town which is

A.D. 1929.

47 & 48 Vict.,  
c. 76.Powers  
of Act  
cumulative.

not an urban district, the Towns Improvement (Ireland) Act, 1854, as amended by subsequent enactments (including section four of the Public Health (Ireland) Amendment Act, 1884), shall be substituted for the said Public Health (Ireland) Acts.

**13.** All powers given to the local authority under this Act shall be deemed to be in addition to, and not in derogation of, any other powers conferred upon such local authority by any Act of Parliament, law or custom, and such other powers may be exercised in the same manner as if this Act had not been passed.

Nothing in this Act shall exempt any person from any penalty to which he would have been liable if this Act had not been passed, but no person shall be liable, except in the case of a penalty for an offence which is continued after conviction therefor, to more than one penalty in respect of the same offence.

Saving for  
sale of farm  
produce.

**14.** The provisions of this Act shall not apply to a farmer or his servants selling, exposing or offering for sale, the produce of his farm in the course of his business as a farmer.

Short title.

**15.** This Act may be cited as the *Street Trading (Regulation) Act* (*Northern Ireland*), 1929.

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## CHAPTER 10.

An Act to grant complete or partial relief from rates in the case of the hereditaments to which the Rating and Valuation (Apportionment) Act (*Northern Ireland*), 1928, applies; to extend the application of the said Act so as to enable the aforesaid relief to be granted to certain other hereditaments; to provide certain grants from the Exchequer of *Northern Ireland* in aid of the expenses of local authorities, and to discontinue certain other grants; and for purposes consequential on the matters aforesaid.

[11th July, 1929.]

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

A.D. 1929.

## PART I.

### RATING AND VALUATION.

1. Subject to the provisions of this Act, no person shall be liable to pay rates in respect of any agricultural hereditament, and notwithstanding anything in the Local Government (Ireland) Act, 1898, or any other enactment, no such hereditament shall be included in any rate.

Total exemption of agricultural hereditaments from rates.  
61 & 62 Vict., c. 37.

2.—(1) Subject to the provisions of this Act, the rateable value of industrial hereditaments and freight-transport hereditaments shall be ascertained as follows :—

Relief from rates in respect of industrial and freight-transport hereditaments

- (a) In the case of an industrial hereditament (not being a salmon fishing or eel fishing) or of a freight-transport hereditament shown in the valuation list as being occupied and used wholly for industrial purposes or wholly for transport purposes, as the case may be, the rateable value of the hereditament shall be taken to be one-quarter of the net annual value thereof ;
- (b) In the case of an industrial hereditament or of a freight-transport hereditament shown in the valuation lists as being occupied and used partly for industrial purposes or partly for transport purposes, as the case may be, the rateable value of the hereditament shall be taken to be an amount equal to one-quarter of the net annual value shown in the lists as apportioned to the occupation and user of the hereditament for industrial purposes or for transport purposes, as the case may be, together with the whole of the net annual value so shown as apportioned to the occupation and user of the hereditament for other purposes ;
- (c) In the case of an industrial hereditament, being a salmon fishing or eel fishing, the rateable value of the hereditament shall be

A.D. 1929

taken to be two-fifths of the net annual value thereof.

45 & 46 Vict.,  
c. clxxi.

(2) This section shall apply to the property of the Belfast Harbour Commissioners within the limits of the port and harbour of Belfast, as defined by the Belfast Harbour Act, 1882, held by the said Commissioners, and in their actual occupation for their own use or for public purposes, as if the said property were a freight transport hereditament occupied and used wholly for transport purposes; and for the purposes of this part of this Act the valuation upon which the property of the said Commissioners is rated, and rates are paid, under section thirteen of the Belfast Corporation Act (Northern Ireland), 1925, shall be treated as if it were the net annual value by reference to which those rates are made.

15 & 16 Geo. 5  
c. iii.

(3) Where under any enactment a rate is payable in respect of a fractional part only of the net annual value of a hereditament, that fractional part shall be treated as the net annual value for the purposes of this section.

Rates to  
which  
exemption  
and relief  
are appli-  
cable.

3. The exemption and relief from rates which are conferred by the foregoing provisions of this Part of this Act shall apply to the following rates:—

- (a) Any rate made by a local authority in respect of the hereditaments included in the valuation lists, by reference to the rateable value as shown in those lists;
- (b) The domestic and public water rates made by the water commissioners;

Provided that the said exemption and relief shall not apply to the following rates:—

- (a) Any item of poor rate raised to meet a charge in connection with compensation for criminal injuries;
- (b) Any drainage rate payable under the Drainage and Navigation (Ireland) Acts, 1842 to 1857, the Drainage and Improvement of Lands (Ireland) Acts, 1863 to 1892, or the Drainage Act (Northern Ireland), 1925, and any item of poor rate raised to meet a charge for the purposes of section five, nine or sixteen of the last-mentioned Act;

15 & 16 Geo. 5  
c. 24.

- (c) Any water rate made by the council of a rural district under section sixty-six of the Public Health (Ireland) Act, 1878, on the net annual value of premises supplied by that council with water.

A.D. 1929.  
 41 & 42 Vict.,  
 c. 52.

4.—(1) The exemption of agricultural hereditaments from rates shall take effect as from the first day of April, nineteen hundred and twenty-nine, and the relief from rates in respect of industrial and freight-transport hereditaments shall take effect (except as respects any exemption or relief from the domestic and public water rates made by the water commissioners), as from the first day of October, nineteen hundred and twenty-nine; and for those purposes, notwithstanding anything in any enactment to the contrary, the following provisions shall have effect as respects rates made or to be made for the local financial year ending on the thirty-first day of March, nineteen hundred and thirty:—

Provisions  
 as to rates  
 for local  
 financial  
 year ending  
 on 31st  
 March, 1930.

- (a) The valuation lists which will come into force on the first day of October, nineteen hundred and twenty-nine, shall be deemed to have been in force as respects any hereditament as from such prior date as may be necessary in order to ascertain the exemption or relief from rating conferred by this Part of this Act in respect of such hereditament;
- (b) Where before the commencement of this Act the council of a county (not being a county borough) have made a rate for the six months ending on the thirtieth day of September, nineteen hundred and twenty-nine, a new rate shall be made for the entire local financial year based upon the estimates upon which the rate for the said six months was struck, and when such new rate is made the first-mentioned rate shall be deemed never to have been made, but the demand made upon the council of any urban district shall have the same validity as if this provision had not been enacted; and the said new rate shall be collectible in one amount instead of in two moieties.
- (c) Where before the commencement of this Act a rate has been made by the council of any

A.D. 1929.  
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county borough, borough or urban district, or by the commissioners of any town, for the said local financial year, any person shall be entitled to recover from the council or commissioners any sum paid by him in excess of the rate properly chargeable against him in respect of any hereditament in accordance with the foregoing provisions of this Part of this Act, and accordingly—

- (i) if the full year's rate has been paid by such person before the commencement of this Act, the council or commissioners shall refund the amount so paid in excess ; and
  - (ii) if a moiety only of that rate has been paid by such person before the commencement of this Act, the amount payable in respect of the second moiety thereof shall be such sum as with the first moiety is equivalent to the total amount payable for the year, having regard to the relief conferred by this Act as ascertained under paragraph (a) of this sub-section :
- (d) The relief from rates in respect of industrial and freight-transport hereditaments shall be ascertained as if it had been conferred as from the first day of April, nineteen hundred and twenty-nine, and as if five-eighths of the net annual value of any such hereditament (or in the case of a hereditament being a salmon fishing or eel fishing, seven-tenths of the net annual value) were substituted for one-quarter of that value (or for two fifths thereof, as the case may require) in the provisions of this Act by which such relief is conferred :

Provided that where rates are payable by any person, or in respect of any hereditament for some period less than the entire local financial year, the local authority shall so adjust the aforesaid fractions as to afford the requisite relief (if any) for such period.

(2) The exemption of agricultural hereditaments, and the relief of industrial and freight transport heredita-



ments from the domestic and public water rates made by the water commissioners shall take effect as from the first day of November, nineteen hundred and twenty-nine.

A D. 1929.

(3) If any difficulty arises in giving effect to the provisions of this section, the Ministry of Home Affairs may by regulation made under this Act do any matter or thing which appears to that Ministry necessary for giving effect thereto.

5.—(1) Where the council of a county (not being a county borough) make one poor rate for the whole of a local financial year they may, if they so resolve, notwithstanding the provisions of section two of the Local Government (Ireland) Act, 1900, collect the same in one sum and not in two equal moieties :

Amendment of provisions as to rate collection, rate book and valuation lists.

63 & 64 Vict., c. 63.

Provided that this sub-section shall not apply as respects the poor rate for the local financial year ending on the thirty-first day of March, nineteen hundred and thirty.

(2) Sub-section (1) of section ninety-six of the Local Government (Ireland) Act, 1898 (which provides for the furnishing to the board of guardians of a union of certified copies of so much of the rate books containing the poor rate as relates to the union) shall cease to have effect : Provided that this sub-section shall not apply—

- (a) to the Belfast Union, so long as the clerk of that union holding office at the passing of this Act continues in that office : or
- (b) to any union having an existing clerk within the meaning of the Local Government (Ireland) Act, 1898, so long as such clerk continues in office.

(3) The Commissioner of Valuation shall on or before the first day of March in each year revise and furnish to the water commissioners, for the purpose of enabling them to assess their domestic and public water rates, a copy of so much of the valuation lists as relates to hereditaments within the commissioners' district of supply.

(4) The power of a collector to recover poor rate from a person liable thereto by distress and sale of any goods or chattels which may be found on the premises chargeable, shall be exercisable in relation to goods or chattels which may be found upon any premises upon

A.D. 1929

18 & 19 Geo. 5  
c. 30.

Deductions  
from in-  
clusive rents  
in respect of  
rate exemp-  
tion or  
relief.

which distress could have been made as against that person for poor rate, if the provisions of the Rating and Valuation (Apportionment) Act (Northern Ireland), 1928, and of this Act, with respect to agricultural hereditaments, had not been enacted.

6.—(1) Where an agricultural or industrial hereditament is occupied by a tenant, under a contract of tenancy made before the commencement of this Act, and the landlord has undertaken to pay the rates in respect of the hereditament, and there is payable by the tenant a rent inclusive of a sum in consideration of the payment of those rates by the landlord, then the landlord shall be liable to pay to the tenant, or allow by way of deduction from his rent, a sum equal to the difference between every amount payable by way of those rates and the amount which would have been so payable at the rate in the pound current for the time being if the rateable value of the hereditament had been equivalent to the net annual value thereof, regard being had to the provisions of sub-section (4) of section fifty-one of the Local Government (Ireland) Act, 1898, in the case of land to which those provisions would have applied apart from this Act.

(2) Where any part of any premises for the time being distinguished in the valuation lists as an agricultural or industrial hereditament is let out to a tenant, that part shall, notwithstanding that it is not separately valued for rating purposes, be deemed for the purposes of this section to be a separate hereditament, and the Commissioner of Valuation shall, on the application either of the landlord or of the tenant, issue a certificate showing the part of the total valuation attributable to the said part of the said premises, and the certificate shall be final and conclusive.

(3) Any difference which may arise as to the amount to be paid or allowed to a tenant by way of deduction from his rent under this section shall be referred to the Commissioner of Valuation, whose decision shall be final and conclusive :

Provided that either the landlord or the tenant may appeal on any point of law from a decision of the said Commissioner to the county court having jurisdic-

tion where the premises are situate, and the decision of that court shall be final and conclusive.

A.D. 1929

(4) Rules of court regulating the procedure and costs of an appeal to the county court under the last preceding sub-section may be made by the authority having power to make rules and orders for regulating the practice of the civil bill courts.

7.—(1) All expenses which may be incurred by the council of a rural district on or after the first day of April, nineteen hundred and thirty, and being expenses of—

Charge-ability of certain public health expenses.

- (a) the construction, maintenance and cleansing of sewers; or
- (b) the providing a supply of water or the providing, repairing and cleansing public wells;

shall be general and not special expenses, and shall be raised as district charges, and not as separate charges upon some area less than the rural district. Accordingly, so much of section two hundred and thirty-two of the Public Health (Ireland) Act, 1878, as amended by the Public Health (Ireland) Act, 1900, and of any other enactment, as provides that the said expenses shall be charged upon and raised off any such less area as aforesaid, and any orders determining any such less area as the area of charge for such expenses, shall cease to have effect as from the said day, and the accounts of the said expenses shall be closed in the prescribed manner.

63 & 64 Vict.  
c. 10.

(2) Where, by the operation of this section, there is an increase, as ascertained and certified in the prescribed manner, in the rate payable in respect of any hereditament to defray any expenses incurred before the first day of April, nineteen hundred and thirty, being expenses which would, but for this section, have been special expenses, the county council by whom the rate is levied shall cause the amount of such increase to be deducted from the demand for rates to be made from time to time in respect of that hereditament.

8.—(1) Sub-section (2) of section four of the Rating and Valuation (Apportionment) Act (Northern Ireland), 1928, shall have effect as if there were therein inserted after the word "Act" the words following, that is to say:—

Extension of 18 & 19 Geo. 5, c. 30, to certain hereditaments

A.D. 1929

“(a) a hereditament shall not be deemed not to  
“be occupied and used as a factory or work-  
“shop by reason only of the fact that the  
“owner or occupier of the hereditament is  
“the only person working therein or that  
“no other person working therein is in his  
“employment ;  
and

“(b) ”

(2) For the purposes of the Rating and Valuation (Apportionment) Act (Northern Ireland), 1928, and this Act, the following hereditaments shall be deemed to be hereditaments occupied and used wholly for industrial purposes, that is to say :—

Salmon fishings and eel fishings where the right thereto is regularly exercised by net, crib, cruive or long line throughout that part of the year during which such method of fishing is permitted by law.

(3) Any person who, if provisions to the same effect as sub-sections (1) and (2) of this section had been included in the Rating and Valuation (Apportionment) Act (Northern Ireland), 1928, as originally enacted, and he had made a claim under the Schedule to the said Act, would have been aggrieved by reason of the omission of the Commissioner of Valuation to distinguish any hereditament, or apportion any valuation, in accordance with such provisions, shall be entitled to appeal to the Commissioner of Valuation under Article 5. of the said Schedule as if he had made a claim under the said Schedule, and the said Article 5. shall apply in all respects to such appeal.

Effect of Act  
upon statu-  
tory refer-  
ences to  
rateable  
value, etc.

9.—(1) For all purposes, other than purposes connected with the making and collection of rates to which the provisions of this Part of this Act apply, the rateable value of any premises shall be taken to be the net annual value thereof (or, where a fractional part only of that value is to be taken, that fractional part) as shown, either as a whole or in apportioned parts, in the valuation lists, and a person shall be deemed to be rated to the full extent of the net annual value (or fractional part thereof) so shown.

(2) Where the powers of a local authority to borrow money under any enactment are dependent upon the net annual value of the rateable hereditaments situate within the area of the local authority, the net annual value to be taken for the purposes of such enactment shall be the entire net annual value for that year as shown in the valuation lists.

A.D. 1929.

(3) Where any enactment limits the expenditure of a local authority for any purpose by reference to the amount which would be produced by any specified rate in the pound upon the rateable hereditaments in the area of the local authority, the produce of that rate shall be calculated upon the entire net annual value of the hereditaments as shown in the valuation lists.

(4) The Commissioner of Valuation shall afford to any officer having statutory functions which require that officer to ascertain the yearly value, rateable value or net annual value of any premises, such facilities for obtaining information as to those values as may be reasonably required in order to enable such officer to perform his said functions.

## PART II.

### EXCHEQUER GRANTS AND OTHER FINANCIAL PROVISIONS.

10.—(1) There shall be paid out of moneys provided by Parliament, in respect of the local financial year ending on the thirty-first day of March, nineteen hundred and thirty, and each subsequent local financial year, subject to and in accordance with the provisions of this Act, to or on behalf of local authorities, towards making good the losses occurring by reason of the provisions of this Act, the annual contribution hereinafter in this Act provided for ; and in this Act the said losses are referred to as “ the deficiency ” and the said contribution as “ the deficiency contribution.”

Exchequer contribution towards deficiency in rates due to provisions of Act.

(2) The deficiency contribution shall be paid to or on behalf of the several local authorities by the Ministry of Home Affairs, and, in the case of the contribution payable on behalf of an education authority, after consultation with the Ministry of Education.

(3) So much of section ten of the Local Government Act (Northern Ireland), 1923, and section two of the

13 & 14 Geo. 5  
c. 31.

A.D. 1929.  
14 & 15 Geo. 5  
c. 6.

**Local Government (Financial Provisions) Act (Northern Ireland), 1924**, as provides for the payment out of moneys provided by Parliament to or on behalf of any local authority of any sums, being the equivalent of the average of certain payments formerly made to or on behalf of such authority in respect of the agricultural grant under section forty-eight of the *Local Government (Ireland) Act, 1898*, is hereby repealed, as respects the year ending on the thirty-first day of March, nineteen hundred and thirty, and subsequent years; and the provisions of section fifty-one of the last-mentioned Act, with respect to the deduction of the said agricultural grant from certain amounts to be raised by means of the poor rate, shall cease to have effect.

Allocation  
and mode of  
payment of  
deficiency  
contribution.

**11.—(1)** The deficiency contribution shall, subject to the provisions of this Act, be paid in each case to the local authority having the power of making the rates towards losses on account of which the contribution is payable, upon the prescribed claim being made by that authority.

**(2)** The deficiency contribution payable to a county council (other than the council of a county borough) shall be allocated by the Ministry of Home Affairs, in accordance with the prescribed regulations, between—

- (i) county-at-large charges ;
- (ii) education charges for each combination of districts for which a separate education rate is made ;
- (iii) union charges for each union in the county ;
- (iv) district charges for each rural district in the county ;
- (v) separate charges for each area of charge ;

and the amounts so allocated shall be placed by the county council to the credit of the accounts of that council with the respective local authorities concerned.

Amount of  
deficiency  
contribution  
to urban  
authorities,  
etc.

**12.** The deficiency contribution to be paid under this Act to the council of a county borough, borough or urban district, the commissioners of a town not being an urban district, and the water commissioners, shall be a sum equal to the deficiency on account of rates leviable

by such council or commissioners in respect of each local financial year :

A D. 1929.  
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Provided that, where the rate made in respect of an industrial hereditament or a freight-transport hereditament has not been paid within the year for which the rate was made, such hereditament shall not be taken into account for the purpose of the payment of the deficiency contribution for that year, but, if the said rate is paid in a subsequent year, there may be included in the deficiency contribution for such subsequent year any sum which would have been included in a previous contribution, but for the non-payment of the said rate.

13.—(1) The deficiency contribution to be paid under this Act to the council of a county, not being a county borough, shall, except as respects the local financial year ending on the thirty-first day of March, nineteen hundred and thirty, be made up of two parts, namely—

Amount of deficiency contribution for local authorities other than urban authorities and commissioners.

- (a) an annual standard grant certified by the Ministry of Home Affairs and being of an amount fixed from time to time for periods of five years, the first such period beginning on the first day of April, nineteen hundred and thirty ; and
- (b) an annual supplemental grant (if payable under this section) in each local financial year beginning on the said day.

(2) The standard grant shall be of an amount arrived at by ascertaining—

- (i) the expenditure of the council of the county and of each local authority acting within the county, so far as such expenditure is defrayed by rates leviable by the county council, and is standard expenditure ascertained in accordance with the provisions of this section ;
- (ii) the amount of the rate in the pound in respect of the full net annual value, as shown in the valuation lists in force at the date on which the amount of the standard grant is certified, of the hereditaments in the area of the local authority (or in such part of such area as is comprised in the county, as the case may be) which would require to be levied off those

A.D. 1929

hereditaments in order to defray the standard expenditure of the local authority ; and

- (iii) the amount which would be produced by a rate in the pound of the amount ascertained under sub-division (ii) if made and levied in respect of the rateable value of the said hereditaments as shown in the said valuation lists ;

and by deducting the amount ascertained under sub-division (iii) from the amount ascertained under sub-division (i).

For the purposes of this section—

- (a) the standard expenditure of an education authority shall be taken to be the net expenditure of that authority for the local financial year ended on the thirty-first day of March, nineteen hundred and twenty-nine, as certified by the Ministry of Home Affairs ;
- (b) the standard expenditure of any local authority, other than an education authority, shall be taken to be such sum as the Ministry of Home Affairs may certify to be the normal annual net expenditure of the authority, excluding any moneys transferred on demand by one local authority to another, and in ascertaining the normal annual net expenditure the Ministry of Home Affairs shall, for the first period of five years, have regard to the net expenditure during the three local financial years ended respectively on the thirty-first day of March, nineteen hundred and twenty-seven, the thirty-first day of March, nineteen hundred and twenty-eight, and the thirty-first day of March, nineteen hundred and twenty-nine, and shall, for subsequent periods of five years, have regard to the net expenditure for each of the three local financial years preceding the date of the certification of the grant ;
- (c) the net expenditure of a local authority shall be taken to be the gross expenditure out of the revenues of the local authority, after deduction therefrom of miscellaneous receipts and Exchequer grants (other than the grant representing the agricultural grant formerly



paid under section forty-eight of the Local Government (Ireland) Act, 1898, and any grant, in addition to the aforesaid grant, made out of moneys provided by Parliament for the relief of rates on agricultural land, and any grant payable under this Act), and in ascertaining the net expenditure of any year there shall be excluded therefrom such items of receipt and expenditure as the Ministry of Home Affairs may determine to be abnormal as respects such year, and there shall be taken into account therewith such items of receipt and expenditure as the said Ministry may determine to be properly attributable to a normal year's expenditure.

A D. 1929.

(3) Where, as respects any local financial year within any such period of five years as aforesaid, the expenditure of the council of a county or of any local authority acting within the county, so far as such expenditure is defrayed by rates leviable by the county council, is greater than the standard expenditure, the Ministry of Home Affairs may pay to the county council a supplemental grant towards the whole or such part of such increased expenditure as the said Ministry (or in the case of expenditure of an education authority, the Ministry of Education) may approve for the purpose of such grant; and any supplemental grant shall bear the same relation to the increase (approved as aforesaid) in the net expenditure of the local authority over the standard expenditure, as the standard grant, so far as allocated to that local authority, bears to the standard expenditure of that local authority.

The payment of supplemental grants shall be subject to the following provisions :—

- (a) Except as regards educational expenditure, no account shall be taken, for the purpose of the supplemental grant payable to the council of a county in any year, of any increase in the net expenditure of the council or of any other local authority acting within the county, beyond the amount which would be met, if a rate of sixpence in the pound were levied by the county council in respect of the full net annual value.

A.D. 1929  
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for that year of the hereditaments in the county (excluding any urban district therein) and applied towards all expenditure of a kind in respect of which a deficiency contribution is payable to that county council ;

- (b) The Ministry of Home Affairs may, before the commencement of any local financial year, require local authorities to furnish such estimates of their receipts and expenditure for that year as may be prescribed, and may state provisionally the amount which will be paid to or on behalf of a local authority on the basis of such estimates ;
- (c) The said Ministry may make payments on account of supplemental grants, subject to the provisions of this Part of this Act as to the manner and times of payment ;
- (d) If the net approved expenditure actually incurred by a local authority falls short of the amount estimated as aforesaid, the supplemental grant shall be reduced accordingly, and any payments on account made to such local authority in excess of such reduced supplemental grant shall be recovered by deduction from any grants subsequently payable under this Part of this Act to or on behalf of such local authority.

(4) Where, as respects a local financial year within any period of five years for which a standard grant has been fixed, the expenditure of the council of a county, or of any local authority acting within such county, so far as such expenditure is defrayed by rates leviable by the council of such county, is less than the standard expenditure of the authority, then the amount of the standard grant allocated to such county council or other local authority for the said local financial year shall be reduced in that or any subsequent year by means of such deduction, if any, from the standard grant as the Ministry of Home Affairs may determine, but so that such deduction shall not exceed a sum which bears the same relation to the decrease in the net expenditure of the local authority below the standard expenditure as the standard grant, so far as allocated to that local authority, bears to the standard expenditure of that local authority.

A.D. 1929.

(5) The deficiency contribution to be paid for the local financial year ending on the thirty-first day of March, nineteen hundred and thirty, to the council of a county to which this section applies shall be a sum equal to the amount of the deficiency (as certified in the prescribed manner) occurring on account of rates leviable by that council for that year.

(6) There shall be paid to a county council, together with the deficiency contribution, such sum as the Ministry of Home Affairs may certify to represent the amount of any increase in the rate payable in respect of a hereditament in a rural district, by reason of the provisions of Part I. of this Act with respect to the chargeability of certain public health expenses in rural districts.

**14.** Where the deficiency contribution is made up of a standard grant and a supplemental grant—

Time and  
manner  
of payment  
of deficiency  
contribution.

- (a) the standard grant shall be paid in four equal instalments upon the fifteenth day of June, fifteenth day of September, first day of January and first day of March in each local financial year ;
- (b) the supplemental grant (if any) shall be paid in the same manner and at the same time as the standard grant, but so that not more than ninety per cent. of the supplemental grant shall be paid in respect of any year prior to the audit of the accounts of the local authority for that year.

Where the deficiency contribution is not divisible into a standard and a supplemental grant, it shall be paid as if it were a supplemental grant, and the foregoing provisions of this section shall apply accordingly : Provided that the deficiency contributions for the local financial year ending on the thirty-first day of March, nineteen hundred and thirty, shall be paid at such times as the Ministry of Home Affairs may, with the approval of the Ministry of Finance, determine.

**15.** It shall be the duty of each local authority to whom this Part of this Act applies, and of any officer of such local authority, to furnish to the Ministry of

Information  
for purposes  
of deficiency  
contribution.

A.D. 1929.

Home Affairs such returns, particulars or other information as may be prescribed or required by that Ministry for the purpose of enabling the deficiency contribution to be paid and allocated in accordance with the provisions of this Part of this Act. Any officer of a local authority who wilfully fails or refuses to make any such return, or give any such particulars or information, shall be liable to the like penalty as is provided by section eighty-six of the Local Government (Ireland) Act, 1898, and that section shall apply accordingly.

Power to  
reduce  
deficiency  
contribution.

**16.**—(1) Where the Ministry of Home Affairs is satisfied that a local authority is not maintaining a reasonable standard of efficiency in the discharge of any of its functions, the amount of any deficiency contribution payable to or on behalf of the said authority under any head shall be reduced by such amount as the said Ministry thinks proper.

Where a deficiency contribution is reduced under the powers conferred by this section, the Ministry of Home Affairs shall lay before Parliament a report stating the amount of, and the reasons for making, the reduction.

(2) In the application of this section to an education authority the Ministry of Education shall be substituted for the Ministry of Home Affairs.

(3) This section shall not apply to the council of a county borough, borough or urban district, the commissioners of a town not being an urban district, or the water commissioners.

### PART III.

#### SPECIAL PROVISIONS AS TO FREIGHT-TRANSPORT RELIEF.

Trans-  
mission  
of benefit of  
rate-relief in  
respect of  
freight-  
transport  
heredita-  
ments.

**17.** Whereas it is intended that rebates should be allowed from the charges made in connection with the user of freight-transport hereditaments for transport purposes, corresponding to the relief from rates due to the operation of Part I. of this Act :

Therefore, the provisions set out in the Schedule to this Act shall have effect for the purpose of securing that such rebates as aforesaid are allowed in respect of certain selected traffics to which that Schedule applies.

Provisions  
as to Freight  
Rebates  
Fund.

**18.**—(1) There shall be paid out of moneys provided by Parliament any expenses incurred by the Ministry of Finance in administering the fund established under the

Schedule to this Act (in this Act referred to as "the Freight Rebates Fund"). A.D. 1929.

(2) The Ministry of Finance may advance out of the Civil Contingencies Fund of the Government of Northern Ireland any sum required to defray a deficit in the accounts of the Freight Rebates Fund :

Provided that any such advance shall be repaid before the expiration of twelve months from the date of the advance.

(3) If the amount of any sum paid out of moneys provided by Parliament into the fund established for the purposes of the transitional Scheme for the allowance of rebates for the period from the first day of December, nineteen hundred and twenty-eight, to the thirtieth day of September, nineteen hundred and twenty-nine, is more than sufficient for the purposes of that Scheme, the balance shall, at such time as the Ministry of Finance may determine, be paid into the Freight Rebates Fund and shall be apportioned between the separate accounts of the Freight Rebates Fund in such manner as the said Ministry may determine.

(4) The Ministry of Finance shall have power to direct that any sum received by the said Ministry in respect of the rent charge of three hundred pounds per annum, payable by the Lagan Navigation Company to the said Ministry under the enactments applying to the Lagan Navigation undertaking, shall in any year be paid in whole or part into the Freight Rebates Fund.

This sub-section shall apply to any sums received as aforesaid in respect of any period beginning on or after the first day of April, nineteen hundred and twenty-nine.

#### PART IV.

##### GENERAL.

**19.**—(1) The council of every county borough, borough and urban district, the commissioners of any town, and the water commissioners, shall prepare and furnish to the Commissioner of Valuation annually, at the prescribed time and in the prescribed manner, a special list of hereditaments situate in their area,

Furnishing  
of informa-  
tion.

A.D. 1929.

in respect of which exemption or relief from rating is conferred by Part I. of this Act, showing in respect of each such hereditament whether the rates (if any) made upon the occupier or any other person have been paid. The Commissioner of Valuation shall certify whether the said hereditaments are correctly shown on the said special list, and the list shall, after such amendment as may be necessary, be returned to the council for inclusion in the claim made by such council for the final instalment of the deficiency contribution under Part II. of this Act.

(2) The occupier of any premises distinguished in the valuation lists as an agricultural hereditament, or as being occupied and used wholly or partly for industrial purposes or for transport purposes, shall, if those premises or any part thereof cease to be agricultural land or agricultural buildings, or to be occupied and used as aforesaid within three months after such cesser, give notice of the fact to each local authority having power to make, for the area in which the premises are situate, any rate to which the exemption or relief from rating conferred by this Act applies; and the secretary or clerk of the local authority shall include the premises in the list to be furnished by him to the Commissioner of Valuation under section four of the Valuation (Ireland) Act, 1854.

17 & 18 Vict.  
c. 8.

If any person whose duty it is to give notice of any matter under this sub-section fails to do so within the said period, he shall be liable on summary conviction to a penalty of fifty pounds, and to pay to the local authority a sum equal to the amount of the rate or additional rate which such person would have been liable to pay, if notice had been given as required by this sub-section, and the valuation list to be issued to the local authority on the first day of March then next ensuing had been revised in accordance with the facts stated in the notice. Such last-mentioned sum shall be taken into account by the Ministry of Home Affairs when ascertaining the amount of any deficiency contribution subsequently payable to or on behalf of the local authority.

Protection  
for existing  
rate col-  
lectors.

20.—(1) A collector of rates to whom this section applies shall be entitled to receive from the local authority

by whom he is employed, as his annual remuneration for duties performed by him as such collector after the first day of April, nineteen hundred and twenty-nine, a sum not less than his average annual remuneration for the three years ended on the thirty-first day of March, nineteen hundred and twenty-nine, or, if he has held office as such collector for a less period than the said three years or did not hold office as such collector at any time during the said three years, a sum not less than the average annual remuneration which he would have received for the said three years, had he held office for the whole of the said period at the rate of poundage at which he was appointed as collector :

A.D 1929.

Provided that, if the Ministry of Home Affairs is satisfied that any such collector has failed to exercise due diligence in the performance of any duties for the discharge of which he is employed by the local authority, the local authority shall make such reduction in his annual remuneration aforesaid as the Ministry of Home Affairs may direct.

(2) This section applies to a person holding permanent office under a local authority as collector of rates on the fourth day of June, nineteen hundred and twenty-nine, and also at the date of the passing of this Act, being a collector whose remuneration is paid by way of poundage on the amount of rates collected by him.

21.—(1) The Ministry of Home Affairs, with the approval of the Ministry of Finance as respects regulations for the purposes of Part II. of this Act, and after consultation, so far as relates to education authorities, with the Ministry of Education, shall have power to make regulations generally for carrying this Act (except Part III. thereof) into effect, and in particular—

Regulations  
for carrying  
Act into  
effect

- (a) for prescribing anything which under this Act is to be prescribed ;
- (b) for enabling adjustments to be made in the deficiency contribution or any items thereof, if and so far as such adjustment is required to give effect to any provision of this Act, or in consequence of an alteration in the boundary of the area of any local authority, or the constitution of any new local authority which

A D. 1929  
—

may take place after the commencement of this Act ;

- (c) for adapting the provisions of any enactment in such manner as may appear to the Ministry of Home Affairs to be necessary in order to bring such provisions into conformity with the provisions of this Act.

(2) Regulations made under this Act shall be laid before both Houses of Parliament as soon as may be after they are made ; and any such regulation shall have effect as if enacted in this Act, but may be varied or revoked by a subsequent regulation.

Interpreta-  
tion.

**22.**—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say :—

“Education authority” and “education rate” have the same meaning as in the Education Act (Northern Ireland), 1923, and the enactments amending that Act :

“Enactment” includes provisions of a local Act or of any order, award or other instrument having the effect of an Act of Parliament :

“Local authority” means the council of any county, county or other borough, urban or rural district, a board of guardians, the commissioners of a town, the water commissioners, an educational authority, the committee of management of a lunatic asylum, and any committee or board appointed wholly or partly by a county or district council or board of guardians, or by several such councils or boards jointly, and having its expenditure wholly or partly defrayed by means of rates ; but the said expression does not include the joint committee of management of a county infirmary or fever hospital :

“Local financial year” means the twelve months ending on the thirty-first day of March, or, in the case of the water commissioners, on the thirty-first day of October :

“Prescribed” means, except in the Schedule to this Act, prescribed by regulations made by the Ministry of Home Affairs under this Act :

13 & 14 Geo. 5  
c. 21



“Provisions of this Act” includes any regulations made under this Act :

A.D. 1929.

“Water commissioners” means the Belfast City and District Water Commissioners :

Other expressions to which special meanings are assigned by the Rating and Valuation (Apportionment) Act (Northern Ireland), 1928, have the same respective meanings as they have in that Act.

(2) References in this Act to enactments of the Parliament of the United Kingdom shall be construed as references to those enactments as they apply in Northern Ireland.

23. This Act shall, save as therein otherwise expressly provided, come into operation on the passing thereof.

Commencement of Act.

24. This Act may be cited as the Local Government (Rating and Finance) Act (Northern Ireland), 1929, and shall be construed as one with the Local Government Acts (Northern Ireland), 1898 to 1924, and those Acts and this Act may be cited together as the Local Government Acts (Northern Ireland), 1898 to 1929.

Short title, construction and citation.

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## SCHEDULE.

Section 17

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### PROVISIONS FOR SECURING ALLOWANCE OF REBATES TO SELECTED TRAFFICS CORRESPONDING TO RATE-RELIEF OF CERTAIN UNDERTAKINGS.

#### PART I.

#### PROVISIONS AS TO ALLOWANCE OF REBATES AND REIMBURSEMENTS OUT OF RATE-RELIEF.

1. This Schedule applies to every railway, light railway, canal and dock undertaking which comprises one or more freight-transport hereditaments, and to the undertaking controlled by the Belfast Harbour Commissioners (in this Schedule referred to as “the Belfast Harbour undertaking”), and the company, authority or persons in whom the management of any such undertaking is vested are in this Schedule referred to as “the undertakers” of that undertaking.

2.—(1) There shall be established and maintained a Fund to be called “the Freight Rebates Fund” (in this Schedule referred to as “the Fund”) which shall be administered and controlled, subject to the provisions of this Schedule, by the Ministry of Finance.

A.D. 1929.

(2) The following payments shall be made to the Fund, that is to say:—

- (a) The undertakers shall in each case pay to the Fund, at such times as the Ministry of Finance may determine, sums equal in the aggregate to the certified rate relief of their respective undertakings in the six months ending on the thirty-first day of March, nineteen hundred and thirty, and in every subsequent year ending on the thirty-first day of March ;
- (b) There shall be paid to the Fund in each year such sums (if any) as the Ministry of Finance may under Part III. of this Act direct, in respect of the rent charge payable to the said Ministry by the Lagan Navigation Company.

(3) The accounts of the Fund shall show separately the amounts paid into the Fund in respect of each of the following undertakings, or groups of undertakings:—

- (i) Railway, light railway and canal undertakings ;
- (ii) The Belfast Harbour undertaking ;
- (iii) Dock undertakings other than the Belfast Harbour undertaking ;

and for the purposes of this Schedule the Belfast Harbour undertaking shall be treated as a separate group and any sums paid into the Fund under paragraph 2 (2) (b) of this Schedule shall be treated as having been so paid in respect of the undertaking of the Lagan Navigation Company.

3.—(1) The undertakers of each railway, light railway and canal undertaking shall allow rebates from the carriage-charges made by them (or in the case of a canal undertaking utilised for the conveyance of merchandise by persons or companies other than the undertakers, rebates from the carriage-charges made by such persons or companies) in respect of all or some of the selected traffics included in Part II. of this Schedule ; and the allowance of rebates shall be carried out in accordance with and subject to such arrangements (in this Schedule referred to as “arrangements”) as may from time to time be made by the Ministry of Finance, in consultation with the Ministry of Commerce and the undertakers, and shall be at such rates as the Ministry of Finance may determine.

(2) The undertakers of each dock undertaking shall allow rebates from the dock charges in respect of all or some of the selected traffics included in Part III. of this Schedule ; and the allowance of rebates shall be carried out in accordance with and subject to such arrangements (in this Schedule referred to as “arrangements”) as may from time to time be made by the Ministry of Finance, in consultation with the Ministry of Commerce and the undertakers, and, so far as may be necessary for the purpose of the arrangements, with the appropriate shipping companies, and shall be at such rates as the Ministry of Finance may determine.

4. There shall, at the prescribed times and in the prescribed manner, be recouped to the undertakers of each undertaking, or to any person or company acting on their behalf, out of the particular account to which the undertaking has contributed under paragraph 2 of this Schedule—

- (a) in respect of the administration expenses incurred by the undertakers in carrying out the arrangements, or by any person or company acting on their behalf as aforesaid, such sum as may be approved by the Ministry of Finance ;
- (b) a sum equal to the amount of the rebates allowed in accordance with the arrangements.
- A.D. 1929

5.—(1) When fixing the rebates to be allowed in the case of any group of undertakings, the Ministry of Finance shall ensure (as nearly as may be) that the aggregate of the rebates allowed in the case of that group of undertakings in any year shall, together with the amounts approved in the case of that group by the said Ministry under paragraph 4 (a) of this Schedule in respect of administration expenses, be equivalent to the amount credited in that year to the particular account of the Fund to which that group of undertakings has contributed.

(2) The Ministry of Finance, when fixing the rate of rebate to be allowed in each case, shall have regard to the quantity of the selected traffics likely to be conveyed, shipped or unshipped, or otherwise dealt with, as the case may be, and the amount of the certified rate relief of each group in any year.

6. The lists of selected traffics may be enlarged from time to time so as to include other traffics, if the Ministry of Finance, after consultation with the Ministry of Agriculture and the Ministry of Commerce, by order so direct ; and any such order shall be laid before each House of Parliament as soon as may be after it is made.

7. Any sum allowed by way of rebate, either under the arrangements or under the transitional Scheme for the allowance of rebates for the period from the first day of December nineteen hundred and twenty-eight, to the thirtieth day of September, nineteen hundred and twenty-nine, which may be found not to be properly allowable, shall be recoverable by the persons allowing the rebate as a debt due from the person to whom it was allowed.

8. Any question as to whether any rebate is or was allowable under the arrangements or under the said transitional Scheme, or as to the basis on which any rebate should be or should have been calculated under the arrangements or under the said transitional Scheme, shall be determined by the Ministry of Finance, whose decision upon any such question shall be final and conclusive.

9. The Ministry of Finance may allow recoupment from the Fund of any amount allowed by any undertakers (or by any person or company acting on their behalf) in error, if the said Ministry is satisfied that all proper precautions were taken by such undertakers, person or company, and that the recovery of the amount is not reasonably practicable.

10. The Ministry of Finance shall take such steps as it may deem necessary in order to secure that the approved rebates are granted to the persons entitled under the arrangements to receive the same, and such steps may include the examination of the books of account of any undertaking, person or company directly or indirectly concerned with the allowance of rebates.

A.D. 1929.

11. The Ministry of Finance may from time to time, and in such manner as it may determine, invest any moneys standing to the credit of the Fund, and the income arising from any such investments shall be paid into the Fund.

12. The Ministry of Finance shall keep such annual accounts of the Fund as may from time to time be prescribed, and those accounts shall be examined by the Comptroller and Auditor-General for Northern Ireland, and shall, together with his report thereon, be laid before Parliament.

13. In this Schedule, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say :—

“ Carriage-charges ” means such of the charges for the time being in force for the carriage of merchandise by railway or light railway or canal as may be determined by the arrangements in relation to any rebate thereby provided for :

“ Dock charges ” means such of the charges made by the undertakers of a harbour or dock undertaking as may be determined by the arrangements in relation to any rebate thereby provided for :

“ Prescribed ” means prescribed by the Ministry of Finance:

“ Certified rate relief ” in relation to any undertaking means the amount, as certified by the Commissioner of Valuation, of the difference between the aggregate of the sums payable by the undertakers by way of rates in respect of freight-transport hereditaments occupied and used wholly or partly for transport purposes as part of the undertaking (or, in the case of the Belfast Harbour undertaking, in respect of the property which is by virtue of Part I. of this Act to be treated as a freight transport hereditament) whereof the rateable value is ascertained under the provisions of Part I. of this Act and the aggregate of the sums which would have been so payable in respect of the hereditaments or premises if those provisions had not been passed, and in relation to all the undertakings means the aggregate amount of the differences aforesaid :

“ Selected traffics ” means the traffics mentioned in Parts II. and III. of this Schedule, and includes ships under construction or repair, and any traffics included in either such Part by an order under paragraph 6 of this Schedule.

PART II.

A.D. 1929.

TRAFFICS SELECTED FOR REBATE OF FREIGHT CHARGES ON RAILWAYS  
 AND CANALS.

|                                                                                                                      |                                                             |
|----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| Coal, Coke, and Patent Fuel for industrial purposes (excluding coal to be used by public supply undertakings). .. .. |                                                             |
| Artificial Manures. .. ..                                                                                            |                                                             |
| Lime, Limestone, and Salt for agricultural purposes. .. ..                                                           |                                                             |
| Whole Maize .. ..                                                                                                    |                                                             |
| Feeding Stuffs for live stock and poultry feeding, viz :—                                                            |                                                             |
| Maize Meal or Indian Meal (including flaked Maize) .. ..                                                             | Where transit terminates in Northern Ireland.               |
| Bran, Pollard, Middlings, Sharps, Seconds, or Thirds .. ..                                                           |                                                             |
| Oil Cake (whole, broken, or ground) and Linseed or Linseed Meal .. ..                                                |                                                             |
| Dry Brewers' and Distillers' Grains, and Malt Culms .. ..                                                            |                                                             |
| Compound Cakes and Meals .. ..                                                                                       |                                                             |
| Tapioca Root Meal, or Flour and Rice Meal .. ..                                                                      |                                                             |
| Treacle or Molasses .. ..                                                                                            |                                                             |
| Bean and Pea Meal .. ..                                                                                              |                                                             |
| Potatoes and Live Stock where transit originates in Northern Ireland.                                                |                                                             |
| Linen and Cotton Yarns .. ..                                                                                         | Where transit originates or terminates in Northern Ireland. |
| Linen and Cotton Cloths (including Canvas, Tape and Webbing) .. ..                                                   |                                                             |
| Flax. .. ..                                                                                                          |                                                             |
| Hemp. .. ..                                                                                                          |                                                             |
| Tow. .. ..                                                                                                           |                                                             |

PART III.

TRAFFICS SELECTED FOR REBATE OF DOCK CHARGES.

Exported Cattle (live or dead).  
 Exported Sheep and Lambs (live or dead).  
 Exported Pigs (live or dead).  
 Exported Potatoes.  
 Exported Linen and Cotton Yarns.  
 Exported Linen and Cotton Cloth Goods.  
 Imported Flax.  
 Imported Hemp.  
 Imported Tow.  
 Exported or Imported Bauxite.  
 Ships under construction or repair.

A.D. 1929.

## CHAPTER 11.

An Act to continue certain Expiring Laws as respects Northern Ireland.

[19th December, 1929.]

**W**HEREAS the Acts (whether passed by the Parliament of the United Kingdom or by the Parliament of Northern Ireland) mentioned in the Schedule to this Act are, in so far as they are in force in Northern Ireland and are temporary in their duration, limited to expire on the thirty-first day of December, nineteen hundred and twenty-nine :

And whereas it is expedient to provide for the continuance as in this Act mentioned of those Acts, and of the enactments amending or affecting the same :

Be it therefore enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

Continuance  
of Acts in  
Schedule.

1.—(1) The Acts mentioned in the several Parts of the Schedule to this Act shall, to the extent specified in column three of that Schedule, be continued as respects Northern Ireland until the thirty-first day of December, nineteen hundred and thirty, and shall then expire unless further continued.

(2) Any unrepealed enactments amending or affecting the enactments continued by this Act shall, in so far as they are temporary in their duration, be continued in like manner, whether they are mentioned in the Schedule to this Act or not.

Short title  
and  
construction

2.—(1) This Act may be cited as the *Expiring Laws Continuance Act* (Northern Ireland), 1929.

(2) References in this Act to any enactments of the Parliament of the United Kingdom shall be construed as references to those enactments as they apply in Northern Ireland.

(3) Nothing in this Act shall be construed as affecting any enactment in so far as the enactment relates to a matter with respect to which the Parliament of Northern Ireland has not power to make laws.

A.D. 1929.

## SCHEDULE.

### PART I.

#### Enactments of the United Kingdom Parliament continued in their Duration.

| 1.<br>Session and<br>Chapter.    | 2.<br>Short Title.                        | 3.<br>How far<br>continued. | 4.<br>Amending<br>Acts.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------------------------|-------------------------------------------|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)<br>33 & 34 Vict.,<br>c. 112. | The Glebe Loan<br>(Ireland) Act,<br>1870. | The whole Act.              | 34 & 35 Vict.,<br>c. 100.<br>49 & 50 Vict.,<br>c. 6.                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| (2)<br>46 & 47 Vict.,<br>c. 60.  | The Labourers<br>(Ireland) Act,<br>1883.  | The whole Act.              | 48 & 49 Vict.,<br>c. 77.<br>49 & 50 Vict.,<br>c. 59.<br>54 & 55 Vict.,<br>c. 48.<br>54 & 55 Vict.,<br>c. 71.<br>55 & 56 Vict.,<br>c. 7.<br>59 & 60 Vict.,<br>c. 53.<br>61 & 62 Vict.,<br>c. 37.<br>3 Edw. 7,<br>c. 37.<br>6 Edw. 7,<br>c. 37.<br>7 Edw. 7,<br>c. 44.<br>9 Edw. 7,<br>c. 42.<br>1 & 2 Geo. 5,<br>c. 19.<br>4 & 5 Geo. 5,<br>c. 32.<br>8 & 9 Geo. 5,<br>c. 20.<br>9 & 10 Geo. 5,<br>c. 55.<br>13 & 14 Geo. 5,<br>c. 23 (Northern<br>Ireland).<br>17 & 18 Geo. 5,<br>c. 4 (Northern<br>Ireland). |

A.D. 1929.

## SCHEDULE—(continued).

## PART I.—(continued).

| 1.<br>Session and<br>Chapter.    | 2.<br>Short Title.                                                                         | 3.<br>How far<br>continued.                                                                                                                        | 4.<br>Amending<br>Acts.                                                                                                                                                                                                                                    |
|----------------------------------|--------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (3)<br>2 & 3 Geo. 5,<br>c. 2.    | The Coal Mines<br>(Minimum<br>Wage) Act, 1912                                              | The whole Act.                                                                                                                                     | —                                                                                                                                                                                                                                                          |
| (4)<br>4 & 5 Geo. 5,<br>c. 3.    | The Grey Seals<br>Protection Act,<br>1914.                                                 | The whole Act.                                                                                                                                     | —                                                                                                                                                                                                                                                          |
| (5)<br>4 & 5 Geo. 5,<br>c. 78.   | The Courts<br>(Emergency<br>Powers) Act,<br>1914.                                          | So far as it re-<br>lates to orders<br>made by any<br>court before<br>the thirty-first<br>day of August,<br>nineteen<br>hundred and<br>twenty-two. | 5 & 6 Geo. 5,<br>c. 19.<br>6 & 7 Geo. 5,<br>c. 13.<br>6 & 7 Geo. 5,<br>c. 18.<br>7 & 8 Geo. 5,<br>c. 25.<br>9 & 10 Geo. 5,<br>c. 64.<br>10 & 11 Geo. 5,<br>c. 5.<br>14 & 15 Geo. 5,<br>c. 21 ( <i>Northern<br/>Ireland</i> ).<br>10 & 11 Geo. 5,<br>c. 14. |
| (6)<br>8 & 9 Geo. 5,<br>c. 34.   | The Statutory<br>Undertakings<br>(Temporary<br>Increase of<br>Charges) Act,<br>1918.       | The whole Act.                                                                                                                                     | —                                                                                                                                                                                                                                                          |
| (7)<br>10 & 11 Geo. 5,<br>c. 21. | The Harbours,<br>Docks, and<br>Piers (Tem-<br>porary Increase<br>of Charges)<br>Act, 1920. | The whole Act.                                                                                                                                     | —                                                                                                                                                                                                                                                          |
| (8)<br>10 & 11 Geo. 5,<br>c. 57. | The Unemploy-<br>ment (Relief<br>Works) Act,<br>1920.                                      | The whole Act.                                                                                                                                     | —                                                                                                                                                                                                                                                          |



SCHEDULE—(continued).

A.D. 1929.

PART I.—(continued).

| 1.<br>Session and<br>Chapter.    | 2.<br>Short Title.                                                               | 3.<br>How far<br>continued. | 4.<br>Amending<br>Acts. |
|----------------------------------|----------------------------------------------------------------------------------|-----------------------------|-------------------------|
| (9)<br>10 & 11 Geo. 5,<br>c. 65. | The Employ-<br>ment of<br>Women, Young<br>Persons, and<br>Children Act,<br>1920. | Section two.                | —                       |

PART II.

Enactments of the Parliament of Northern Ireland continued in their  
Duration.

| 1.<br>Session and<br>Chapter.   | 2.<br>Short Title.                                                                         | 3.<br>How far<br>continued. | 4.<br>Amending<br>Acts. |
|---------------------------------|--------------------------------------------------------------------------------------------|-----------------------------|-------------------------|
| (1)<br>12 Geo. 5, c. 5.         | The Local<br>Government<br>(Emergency<br>Powers) Act,<br>1921 [N.I.].                      | The whole Act.              | —                       |
| (2)<br>15 & 16 Geo. 5,<br>c. 7. | The Canals<br>(Continuance<br>of Charging<br>Powers) Act<br>(Northern Ire-<br>land), 1925. | The whole Act.              | —                       |

CHAPTER 12.

An Act to amend the Unemployment Insurance Acts  
(Northern Ireland), 1920 to 1929, with respect  
to the amount of the contribution to be paid  
under those Acts out of moneys provided by the  
Parliament of Northern Ireland.

[19th December, 1929.]

A.D. 1929.  
 —

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Amount of  
 State con-  
 tribution.

1. As from the first day of April, nineteen hundred and twenty-nine, the contribution payable under the Unemployment Insurance Acts (Northern Ireland), 1920 to 1929, out of moneys provided by Parliament shall be at a rate equal to one half of the aggregate amount of the contributions paid in respect of the employed person by himself and his employer or, in the case of an exempt person, paid by his employer.

Short title  
 and repeal.

2.—(1) This Act may be cited as the Unemployment Insurance (State Contribution) Act (Northern Ireland), 1929, and shall be included among the Acts which may be cited together as the Unemployment Insurance Acts (Northern Ireland), 1920 to 1929.

(2) The following enactments shall be repealed as from the first day of April, nineteen hundred and twenty-nine:—

15 & 16 Geo. 5  
 c. 22.

In sub-section (2) of section three of the Unemployment Insurance Act (Northern Ireland), 1925, the words from “the contribution to be made” to the words “have effect accordingly, and”;

16 & 17 Geo. 5,  
 c. 11.

Section eight of, and the Second Schedule to, the Economy (Exchequer Relief) Act (Northern Ireland), 1926;

18 & 19 Geo. 5,  
 c. 3.

Paragraph (b) of sub-section (1) of section two and section seventeen of, and the Second Schedule to, the Unemployment Insurance Act (Northern Ireland), 1928.

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## CHAPTER 13.

An Act to consolidate, as respects Northern Ireland, the enactments relating to petroleum and petroleum-spirit. [19th December, 1929.]

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

A D. 1929.

*Licences for Keeping Petroleum-Spirit.*

1.—(1) Subject to the provisions of this Act, petroleum-spirit shall not be kept unless a petroleum-spirit licence is in force under this Act authorising the keeping thereof and the petroleum-spirit is kept in accordance with such conditions, if any, as may be attached to the licence :

Petroleum-spirit not to be kept without a licence.

Provided that the foregoing provision shall not apply to any petroleum-spirit kept either for private use or for sale so long as—

- (a) it is kept in separate glass, earthenware, or metal vessels, securely stopped and containing not more than one pint each ; and
- (b) the aggregate amount kept would not, if the whole contents of the vessels were in bulk, exceed three gallons.

(2) The occupier of any premises in which petroleum-spirit is kept in contravention of this section, shall be liable on summary conviction to a fine not exceeding twenty pounds for every day on which the contravention occurs or continues, and the court before whom any person is convicted under this sub-section may order that the petroleum-spirit, in respect of which the contravention occurs, and any vessel in which it is contained be forfeited or otherwise dealt with in such manner as the court thinks fit.

(3) If any person to whom a petroleum-spirit licence is granted contravenes any condition of the licence, he shall be liable on summary conviction to a fine not exceeding twenty pounds for every day on which the contravention occurs or continues.

2.—(1) The local authority empowered under this Act to grant petroleum-spirit licences shall be, as respects any county, county borough, borough or urban district, the council thereof :

Provisions as to licences.

A.D. 1929.

Provided that—

- (i) as respects a borough or urban district, the council thereof shall be the local authority for the purpose of granting petroleum-spirit licences to the exclusion of the council of the county within which that borough or district is comprised ;
- (ii) in any harbour within the jurisdiction of a harbour authority, whether situate or not within the jurisdiction of any local authority hereinbefore mentioned, the harbour authority shall be the local authority for granting petroleum-spirit licences to the exclusion of any other local authority.

(2) A petroleum-spirit licence may be granted by a local authority so as to be in force for such time, and subject to such provisions as to renewal, as the local authority think necessary.

(3) A local authority may attach to any petroleum-spirit licence such conditions as they think expedient, as to the mode of storage, the nature and situation of the premises in which, and the nature of the goods with which, petroleum-spirit is to be stored, the facilities for the testing of petroleum-spirit from time to time, and generally as to the safe-keeping of petroleum-spirit.

(4) Where conditions to be observed by persons employed are attached to any petroleum-spirit licence, the occupier of the premises to which the licence relates shall cause to be kept posted on the premises, in such form and in such position as to be easily read by the persons employed on the premises, a notice setting out those conditions, and—

- (a) if the occupier of any premises fails to comply with the foregoing requirements of this sub-section, he shall be liable on summary conviction to a fine not exceeding five pounds for every day on which the failure occurs or continues ; and
- (b) if any person pulls down, injures, or defaces any notice posted in accordance with the requirements of this sub-section, he shall be liable on summary conviction to a fine not exceeding five pounds ; and

- (c) if any person employed contravenes any condition of which notice has been given in accordance with the requirements of this sub-section, he shall be liable on summary conviction to a fine not exceeding five pounds.

A.D. 1929.

3.—(1) If on any application for a petroleum-spirit licence a local authority refuse to grant the licence, or grant the licence on conditions with which the applicant is dissatisfied, the local authority shall, if required by the applicant so to do, deliver to him a certificate in writing signed by the clerk of the local authority stating the grounds on which the authority has refused the licence or attached the conditions, as the case may be, and the applicant may appeal to the Minister of Home Affairs within ten days after the receipt of the certificate or within such further time as the Minister of Home Affairs may allow.

Appeals  
from  
refusals by  
local  
authorities  
to grant  
licences.

(2) Every appeal to the Minister of Home Affairs under this section shall be made in writing asking that the licence may be granted notwithstanding the refusal of the local authority, or that the conditions may not be attached or may be modified in such manner and to such extent as may be set forth in the appeal, and shall be accompanied by the certificate of the local authority given under the last foregoing sub-section, and on consideration of any such appeal the Minister of Home Affairs may, if he thinks fit, grant the licence either without conditions or subject to such conditions as he thinks proper or may modify the conditions attached by the local authority, and any licence so granted or modified shall be in force for such time and be subject to such provisions as to renewal as may be specified in the licence, and shall, when certified under the hand of the Minister of Home Affairs, have effect as if granted by a local authority.

(3) Before exercising his powers under the last foregoing sub-section with respect to any appeal, the Minister of Home Affairs may, if he thinks it necessary or desirable, cause an inquiry and report upon the matter to be made to him by such person as he may appoint for the purpose.

4. In respect of every petroleum-spirit licence granted by a local authority or by the Minister of Home

Fees  
payable for  
licences.

A.D. 1929

Affairs under this Act, fees shall be payable to the local authority or to the Minister of Home Affairs, as the case may be, by the person to whom the licence is granted, at the rates shown in the scale set out in the First Schedule to this Act or such lower scale as the Minister of Home Affairs may, with the consent of the Ministry of Finance, prescribe by regulations.

*Labelling of Vessels containing Petroleum-Spirit.*

Provisions  
as to  
the labelling  
of vessels  
containing  
petroleum-  
spirit.

5.—(1) Subject as hereinafter provided, where any petroleum-spirit—

- (a) is kept at any place ; or
- (b) is sent or conveyed between any two places in Northern Ireland ; or
- (c) is sold or exposed or offered for sale ;

there shall be attached to, or, where that is impracticable, displayed near, the vessel containing the petroleum-spirit, a label showing, in conspicuous characters, the words “Petroleum-Spirit” and the words “Highly Inflammable,” and—

- (i) in the case of petroleum-spirit kept, the name and address of the consignee or owner ;
- (ii) in the case of petroleum-spirit sent or conveyed, the name and address of the sender ;
- (iii) in the case of petroleum-spirit sold or exposed or offered for sale, the name and address of the vendor ;

Provided that, for the purposes of the foregoing provisions—

- (a) petroleum-spirit shall not be deemed to be kept during the seven days next after it has been imported ; and
- (b) petroleum-spirit carried on any motor vehicle, ship, or aircraft, but intended to be used only for the purposes thereof shall not be deemed to be conveyed.

(2) Any person who keeps, sends, conveys, sells, or exposes or offers for sale any petroleum-spirit in contravention of this section shall be liable on summary conviction to a fine not exceeding five pounds, and the court before whom any person is convicted in respect of any such contravention may order that the petroleum-spirit, in respect of which the contravention occurs, and any vessel in which it is contained be forfeited or otherwise dealt with in such manner as the court thinks fit.

*Transport of Petroleum-Spirit.*

A.D. 1929.

6.—(1) The Minister of Home Affairs may make regulations as to the conveyance of petroleum-spirit by road and for protecting persons or property from danger in connection with such conveyance, and in particular—

Regulations  
as to the  
conveyance  
of petro-  
leum-spirit  
by road.

- (a) for regulating the description and construction of vehicles to be used in the conveyance of petroleum-spirit by road ;
- (b) for prohibiting or subjecting to conditions and restrictions the conveyance by road of petroleum-spirit with any explosive, or with any articles or substances, or in passenger vehicles ;
- (c) for prescribing the quantity of petroleum-spirit which may be conveyed at one time or in one vehicle ;
- (d) for prescribing the precautions to be observed in the conveyance of petroleum-spirit by road, and in loading and unloading vehicles used in such conveyance, and the time during which the petroleum-spirit may be kept during such conveyance, loading, and unloading as aforesaid ;
- (e) for the publication and supply of copies of the regulations ;
- (f) for adapting, on good cause being shown, the regulations in force under this section to the circumstances of any particular locality :
- (g) for the enforcement of the regulations in any area by the local authority empowered under this Act to grant petroleum-spirit licences in that area.

(2) If any person contravenes or attempts to contravene any regulation made under this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds for every day on which the offence occurs or continues, and the court before whom any person is convicted under this sub-section may order that the petroleum-spirit in respect of which the offence was committed and any vessel in which it is contained be forfeited or otherwise dealt with in such manner as the court thinks fit.

7.—(1) It shall be the duty of every harbour authority to make for the harbour under their jurisdiction byelaws as to the loading of ships with petroleum-spirit

Byelaws as  
to ships  
loading and  
carrying  
petroleum-  
spirit in  
harbour.

A.D. 1929.  
—

and generally as to the precautions to be observed with respect to ships carrying petroleum-spirit whilst in the harbour, and such byelaws shall in particular provide—

- (a) for regulating the places at which ships are to load or land petroleum-spirit and the time and mode of, and the precautions to be taken on, such loading and landing; and
- (b) for regulating the places at which ships carrying petroleum-spirit are to be moored; and
- (c) for the due enforcement of the byelaws.

(2) No byelaws made by a harbour authority under the last foregoing sub-section shall come into force until confirmed by the Ministry of Commerce, and before submitting any such byelaws to the said Ministry the harbour authority shall, in such manner as may be directed by the said Ministry, publish a draft thereof together with notice of their intention to apply for the confirmation of the byelaws.

(3) If it appears to the Ministry of Commerce that at any harbour there are for the time being no byelaws or insufficient byelaws in force under this section, the said Ministry may by notice require the harbour authority having jurisdiction in that harbour to make and submit to the said Ministry byelaws for the purposes of this section, and if the harbour authority make default in complying with any such requirement within the time limited by the notice, the said Ministry may make byelaws which shall have effect as if they had been made by the harbour authority and confirmed by the said Ministry.

(4) If it appears to a harbour master or to any person acting under the orders of a harbour authority that any ship or any petroleum-spirit is in a place in which it ought not, in accordance with any such byelaws as aforesaid, to be, he may cause it to be removed so as to be in conformity with the byelaws, and any expenses incurred by the harbour authority in connection with any such removal may be recovered summarily or in the county court as a debt due from the owner of the ship or of the petroleum-spirit, as the case may be.

(5) In the event of any contravention of the requirements of any byelaw in force under this section, the owner and master of any ship in or in relation to which the contravention occurs, and, except in the case of a



contravention in respect of the mooring of a ship, the owner of any petroleum-spirit in respect of which the contravention occurs, shall each be guilty of an offence and shall be liable on summary conviction thereof to a fine not exceeding fifty pounds for every day on which the offence occurs or continues :

A.D. 1929.

Provided that it shall be a good defence to proceedings for any such offence to prove—

- (a) if the proceedings are against the owner or master of a ship for an offence in respect of the loading or landing of petroleum-spirit, that all reasonable means were taken by the master to prevent the commission of the offence, and that the offence was not caused or facilitated by any act or neglect on the part of the owner or of any person engaged or employed by the owner or master ; and
- (b) if the proceedings are against the owner of petroleum-spirit for an offence in respect of the loading or landing thereof, or in respect of any failure to observe precautions required to be observed with respect to ships carrying petroleum-spirit whilst in harbour, that the offence was not caused or facilitated by any act or neglect on his part or on the part of any person engaged or employed by him.

8. The owner or master of every ship carrying a cargo, any part of which consists of petroleum-spirit shall, on entering any harbour within Northern Ireland, give notice of the nature of the cargo to the harbour authority having jurisdiction over the harbour, and if such notice is not given, the owner and master of the ship shall each be guilty of an offence and shall be liable on summary conviction thereof to a fine not exceeding fifty pounds, or on conviction thereof on indictment to a fine not exceeding five hundred pounds :

Notice of  
ships  
carrying  
petroleum-  
spirit to be  
given on  
entering  
harbour.

Provided that it shall be a good defence to proceedings for any such offence to prove that neither the owner nor the master knew the nature of the goods in respect of which the proceedings are taken, and that neither of them could, with reasonable diligence, have obtained such knowledge.

A.D. 1929.

Byelaws as  
to loading,  
conveyance  
and landing  
of petro-  
leum-spirit  
in and upon  
canals.

**9.**—(1) Every canal company shall have power to make byelaws regulating the loading, conveyance and landing of petroleum-spirit in and upon the canal under their jurisdiction, and as to the precautions to be observed with respect thereto, and as to the due enforcement of the byelaws.

(2) No byelaws made under this section shall come into force until confirmed by the Ministry of Commerce, and before submitting any such byelaws to the said Ministry, the canal company shall, in such manner as may be directed by the said Ministry, publish a draft thereof together with notice of their intention to apply for the confirmation of the byelaws.

(3) The Ministry of Commerce may confirm any byelaws submitted to it under this section with or without any modifications, and such byelaws shall have effect as so confirmed.

(4) If any person contravenes or attempts to contravene any byelaw made under this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds for every day on which the offence occurs or continues.

51 & 52 Vict.  
c. 25.

(5) Section forty of the Railway and Canal Traffic Act, 1888 (which makes provision as to the byelaws of canal companies) shall not apply to byelaws made under this section.

*Special Provisions as to Keeping, Use and Supply of  
Petroleum-Spirit for Motor Vehicles.*

Regulations  
as to the  
keeping and  
use of petro-  
leum-spirit  
for purpose  
of motor  
vehicles,  
motor boats,  
aircraft and  
engines.

**10.**—(1) The Minister of Home Affairs may make regulations as to the keeping and use of petroleum-spirit by persons intending to use it for the purpose of any class of motor vehicles, motor boats, aircraft, or engines specified in the regulations, and any such regulations may exempt from the operation of any of the foregoing provisions of this Act the keeping and use of petroleum-spirit by persons intending to use it for the purpose of any such class as aforesaid to which the regulations apply.

(2) If any person contravenes or attempts to contravene any regulation made under this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds for every day on which the offence occurs or continues, and the court before whom any person is

convicted under this sub-section may order that the petroleum-spirit, in respect of which the offence was committed, and any vessel in which it is contained be forfeited or otherwise dealt with in such manner as the court thinks fit.

A.D. 1929.

11.—(1) For the purpose of preserving for the enjoyment of the public the amenities of any rural scenery or of any place of beauty or historic interest or of any public park or pleasure promenade, or of any street or place which is of interest by reason of its picturesque character, the council of any county, county borough, borough or urban district may make byelaws—

Byelaws as  
to petroleum  
filling  
stations.

- (a) regulating the appearance of petroleum filling stations ; or
- (b) prohibiting the establishment of petroleum filling stations;

in any part of their area to which the byelaws apply ; and, without prejudice to the generality of the foregoing provisions, any such byelaws regulating the appearance of petroleum filling stations may, in particular, require compliance with such provisions as may be contained in the byelaws as to the position, design, size, colour and screening of such stations or of any parts thereof :

Provided that—

- (i) no byelaws made under this section by the council of any county shall have effect in any borough or urban district within the county ; and
- (ii) nothing in any byelaws regulating the appearance of petroleum filling stations shall prevent the use in any place to which the byelaws apply of any pump or other apparatus approved for use in such places by the Minister of Home Affairs, and in making any such byelaws a council shall make provision for exempting any petroleum filling station established at the time of the making of the byelaws from any restrictions requiring structural alterations for such period, not being less than two years from that time, as they may think fit ; and

A.D. 1929.

(iii) in making any byelaws prohibiting the establishment of petroleum filling stations a council shall have regard to the need for reasonable facilities for the supply of petroleum in or near the part of their area to which the byelaws apply.

(2) Any part of the area of a council to which byelaws or a draft of any byelaws made under this section apply shall be distinctly marked and shown on plans to be signed by and deposited with the clerk of the council making the byelaws, and the said plans shall be at all reasonable times thereafter open for the inspection of the public without charge.

(3) The provisions of sections two hundred and nineteen to two hundred and twenty-three, inclusive, of the Public Health (Ireland) Act, 1878, shall apply with respect to byelaws made by any council under this section :

41 & 42 Vict.,  
c. 52.

Provided that such byelaws may be confirmed by the Ministry of Home Affairs with such modifications as that Ministry thinks fit to make therein, and shall have effect as so confirmed.

(4) Where byelaws made under this section are in force prohibiting the establishment of petroleum filling stations in any part of the area of a council, the council may, with a view to securing the removal of all such stations from that part of their area, serve upon every occupier of a petroleum filling station established therein before the date on which the byelaws came into force a notice requiring him to remove it within such period, not being less than six months after the service of the notice, as may be specified in the notice, and any such notice may be addressed to "the occupier" without further name or description, and may be served either by delivering it or leaving it at, or by sending it by post as a registered letter to, the usual or last known place of abode of the occupier, or if his place of abode is not known, by fixing it on some conspicuous part of the petroleum filling station :

Provided that any person upon whom such a notice is served shall be entitled to recover from the council by whom it was served any expenses reasonably incurred by him in carrying out the directions contained in the

A.D. 1929.]

notice, and shall, if he makes a claim within twelve months after the service of the notice, be entitled to recover from the council compensation for any loss sustained by him in direct consequence of the requirements of the notice, and any question in dispute as to whether compensation is payable under this sub-section or as to the amount of any compensation so payable shall be decided by the county court having jurisdiction where the petroleum filling station is situate, and a county court shall have jurisdiction to deal with any such question, notwithstanding that, by reason of the amount of the claim or otherwise, the case would not, but for this provision, be within the jurisdiction of a county court.

(5) The occupier of any premises used or intended to be used as a petroleum filling station shall have power, notwithstanding anything in any conveyance or in any lease or other agreement, to do all such things as may be necessary for complying with the requirements of any byelaw made or notice served under this section; and where a notice has been served upon any person under this section the council by whom the notice was served may, with his consent, do on his behalf anything necessary for complying with the requirements of the notice.

(6) If any person contravenes any byelaw made or notice served under this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds for every day on which the contravention occurs or continues, and if, after any person has been so convicted in respect of a contravention of any byelaw made under this section prohibiting the establishment of petroleum filling stations or in respect of a contravention of any notice served under this section requiring the removal of any such station, the petroleum filling station is not removed within such time as the court may allow, the council by whom the byelaw was made or the notice served shall have power to do all such acts as may be necessary for the removal thereof, and any expenses incurred by a council in removing any petroleum filling station established in contravention of any such byelaw as aforesaid shall be recoverable by the council summarily or in the county court as a debt due from the person convicted.

(7) Any expenses incurred by a council under this section shall be defrayed as expenses incurred by the

A D. 1929. — council in exercise of their powers in relation to roads or streets.

*Regulations as to special Classes of Petroleum-Spirit.*

Regulations  
as to classes  
of petro-  
leum-spirit  
likely to be  
dangerous  
or injurious  
to health.

12.—(1) If the Minister of Home Affairs is satisfied that any class of petroleum-spirit is, by reason of the nature thereof or of any substance mixed therewith, likely to be dangerous or injurious to health either generally or in the case of any class of persons, he may make such regulations as appear to him to be reasonably practicable and to meet the necessity of the case, and in particular—

- (a) for requiring the observance of such precautions as may be prescribed for the protection of persons employed or engaged in handling or using petroleum-spirit of that class in connection with any trade or business ; and
- (b) for requiring persons selling to the public petroleum-spirit of that class to give, in such manner as may be prescribed, warning to purchasers of petroleum-spirit of that class as to the dangers thereof and the precautions to be observed with respect thereto ; and
- (c) for prohibiting the sale or use of petroleum-spirit which he may by order declare to be so dangerous or injurious to health that precautions for the protection of persons employed or engaged in handling or using such petroleum-spirit are impracticable ; and
- (d) for the publication and supply of copies of the regulations ; and
- (e) for the enforcement of the regulations in any area by the local authority empowered under this Act to grant petroleum-spirit licences in that area.

(2) If any person contravenes or attempts to contravene any regulation made under this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds for each day on which the offence occurs or continues, and the court before whom any person is convicted under this sub-section may order that the petroleum-spirit, in respect of which the offence was committed, and any vessel in which it is contained be

forfeited or otherwise dealt with in such manner as the court thinks fit.

A.D. 1929.

*Accidents in connection with Petroleum-Spirit.*

13.—(1) Whenever any accident which occasions loss of life or personal injury occurs by explosion or by fire in or about or in connection with any licensed premises, the occupier of the premises shall, if the explosion or fire involved petroleum-spirit, forthwith send or cause to be sent to the Minister of Home Affairs notice of the accident and of the loss of life or personal injury. A notice of any accident of which notice is sent in pursuance of this section need not be sent to any inspector of factories.

Notice to  
be given  
of accidents  
connected  
with  
petroleum-  
spirit.

(2) Where, in, about, or in connection with any ship or vehicle on which petroleum-spirit is being conveyed, or loaded, or from which petroleum-spirit is being unloaded, any accident which occasions loss of life or personal injury occurs by explosion or by fire, the owner or master of the ship or vehicle shall, if the explosion or fire involved petroleum-spirit, forthwith send or cause to be sent to the Minister of Home Affairs notice of the accident and of the loss of life or personal injury, but this provision shall not apply where the petroleum-spirit carried or loaded on, or unloaded from, the ship or vehicle is or was for use only on that ship or vehicle or in any case in which such notice as aforesaid is otherwise by law required to be sent to some government department.

(3) Every such occupier, owner, or master as aforesaid who fails to comply with any of the provisions of this section shall be liable on summary conviction to a fine not exceeding twenty pounds.

14. The Minister of Home Affairs may direct an inquiry to be made by a government inspector into the cause of any accident of which notice is required by this Act to be given to the said Minister, and where it appears to the said Minister either before or after the commencement of any such inquiry, that a more formal investigation of the accident, and of the causes and circumstances thereof, is expedient, he may by order direct a formal investigation to be held, and with respect to inquiries and investigations made or held under this Act the following provisions shall have effect:—

Inquiry into  
accidents  
connected  
with  
petroleum-  
spirit.

A.D. 1929.  
—6 & 7 Will. 4,  
c. 13.

- (a) the Minister of Home Affairs may, by the same or any subsequent order, appoint any person or persons possessing legal or special knowledge to assist the government inspector in holding a formal investigation, or may direct such county court judge, resident magistrate appointed under the Constabulary (Ireland), Act, 1836, or other person or persons as may be named in the order, to hold such an investigation with the assistance of a government inspector or any other assessor or assessors named in the order ;
- (b) the persons holding any formal investigation (in this section referred to as “ the court ”) shall hold it in open court in such manner and under such conditions as they think most effectual for ascertaining the causes and circumstances of the accident, and for enabling them to make the report in this section mentioned ;
- (c) the court shall have for the purpose of the investigation all the powers of a court of summary jurisdiction when acting as a court in hearing informations for offences against this Act, and shall have all the powers of a government inspector under this Act, and in addition the following powers, namely—
- (i) they may enter and inspect any place or building the entry or inspection whereof appears to them requisite for the said purpose ;
  - (ii) they may by summons under their hands require the attendance of all such persons as they think fit to call before them and examine for the said purpose, and may for the said purpose require to be furnished to them answers or returns to such inquiries as they think fit to make ;
  - (iii) they may require the production of all books, papers, and documents which they consider important for the said purpose ;
  - (iv) they may administer an oath, and require any person examined to make and sign a declaration of the truth of the statements made by him in his examination ;



- (d) persons attending as witnesses before the court shall be allowed such expenses as would be allowed to witnesses attending before a civil bill court ;
- (e) if any person without reasonable excuse (proof whereof shall lie on him) fails, after having had the expenses (if any) to which he is entitled tendered to him, to comply with any summons or requisition of a court holding an investigation under this Act, or prevents or impedes the court in the execution of their duty, he shall be liable on summary conviction to a fine not exceeding ten pounds, or, in the case of a failure to comply with a requisition for furnishing any return or producing any document, not exceeding ten pounds for every day on which the failure occurs or continues ;
- (f) the government inspector making an inquiry into any accident and the court holding an investigation of any accident under this section shall make a report to the Minister of Home Affairs, stating the causes of the accident and all the circumstances attending it, and containing any observations thereon or on the evidence or on any matters arising out of the inquiry or investigation which he or they think right to include in the report, and the said Minister shall cause every report so made to him to be made public in such manner as he thinks expedient.

A.D. 1929.

15.--(1) Where a coroner holds an inquest upon the body of any person whose death may have been caused by any accident of which notice is required by this Act to be given to the Minister of Home Affairs, the coroner shall adjourn the inquest unless a government inspector, or some person on behalf of the said Minister, is present to watch the proceedings :

Coroners' inquests on deaths from accidents connected with petroleum spirit.

Provided that, if the accident has not occasioned the death of more than one person, and the coroner has sent to the Minister of Home Affairs notice of the time and place of holding the inquest not less than forty-eight hours before the time of the holding thereof, it shall not be imperative on him to adjourn the inquest in pursuance

A.D. 1929.

of this section if the majority of the jury think it unnecessary that he should do so.

(2) The coroner, before the adjournment, may take evidence to identify the body, and may order the interment thereof.

(3) The coroner, at least four days before holding the adjourned inquest, shall send to the Minister of Home Affairs notice in writing of the time and place of holding the adjourned inquest.

(4) A government inspector or person employed on behalf of the Minister of Home Affairs shall be at liberty at any such inquest as aforesaid to examine any witness, subject nevertheless to the order of the coroner on points of law.

(5) Where at any inquest there is given evidence of any neglect having caused or contributed to an accident, or evidence of there having been, in or about or in connection with any licensed premises or any ship or vehicle carrying petroleum-spirit, any defect that appears to the coroner or jury to require a remedy, the coroner shall, if no government inspector or person employed on behalf of the Minister of Home Affairs is present at the inquest, send to the Minister of Home Affairs notice in writing of the neglect or defect.

#### *Powers of Inspection, &c.*

Powers of  
government  
inspectors.

16.—(1) A government inspector shall have power to make such examination and inquiry as may be necessary to ascertain whether the provisions of this Act or of any regulations made thereunder are complied with, and for that purpose—

- (a) he may enter, inspect, and examine at all reasonable times by day any licensed premises, and every part thereof, and any premises in which any petroleum-spirit is kept, or is suspected by him to be kept, in contravention of the provisions of this Act or of any regulations made thereunder; and
- (b) he may require the occupier of any premises which he is so entitled to enter, or a person employed therein by the occupier, to give him samples of any petroleum on the premises.

(2) The occupier of any such premises as aforesaid, his agents and servants, shall furnish the means required by a government inspector as being necessary for every such entry, inspection and examination which he is entitled under this section to make.

A D. 1929.

(3) If any person fails to permit a government inspector to enter, inspect or examine as aforesaid, or to comply with any such requisition of a government inspector as aforesaid, or in any manner obstructs a government inspector in the execution of his duties, that person shall be liable on summary conviction to a fine not exceeding fifty pounds, or on conviction on indictment to a fine not exceeding one hundred pounds.

17.—(1) Any officer authorised by a local authority empowered under this Act to grant petroleum-spirit licences—

Powers of  
officers of  
local  
authorities  
as to testing  
petroleum-  
spirit.

- (a) may purchase samples of any petroleum from any dealer therein or from any person who keeps petroleum for the purposes of any trade or industry, or may on producing a copy of his appointment purporting to be signed by the clerk of the local authority require the dealer or other person to show him every place and any vessels in which petroleum in his possession is kept and to give him samples of such petroleum on payment of the value thereof ; and
- (b) may test or cause to be tested at any convenient place and at such reasonable time as he may appoint any samples so obtained by him.

(2) Any such officer shall, before testing or causing to be tested any samples under the last foregoing subsection, give to the dealer or other person from whom they were obtained notice in writing of the place and time at which they are to be tested, and the dealer or other person or any person appointed by him may be present at the testing.

(3) If it appears to the person testing any samples of petroleum obtained under this section that the petroleum is petroleum-spirit, he may give a certificate in writing to that effect, and a certificate so given shall be received in evidence in any proceedings under this Act against the person from whom the samples were obtained, so, however, that if, after hearing any evidence given by

A.D. 1929.  

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or on behalf of that person, the court before which the proceedings are taken is not satisfied as to the correctness of the certificate, the court may appoint some person skilled in testing petroleum to test the samples to which the certificate relates and to report whether the certificate is correct or not.

(4) Any expenses incurred in testing any samples of petroleum under this section shall, if the person from whom the samples were obtained is convicted of keeping, sending, conveying, selling, or exposing or offering for sale petroleum-spirit in contravention of this Act, be paid by that person, and shall be recoverable as part of the costs of the proceedings against him, but in every other case shall be paid by the local authority.

(5) If any dealer in petroleum or person who keeps petroleum for the purposes of any trade or industry, by himself or by anyone in his employ or acting by his direction or with his consent, refuses to show to an officer authorised by the local authority any place or vessel in which petroleum in his possession is kept, or to give to such an officer such assistance as he may require for examining any such place or vessel, or to give him samples of such petroleum on payment of the value thereof, or wilfully obstructs the local authority or any officer thereof acting in the execution of this Act, that dealer or other person shall be liable on summary conviction to a fine not exceeding twenty pounds.

Warrants to  
search for  
and seize  
petroleum-  
spirit.

18.—(1) If a court of summary jurisdiction is satisfied by information on oath that there is reasonable ground for suspecting that any petroleum-spirit is being kept, sent, conveyed, or exposed or offered for sale within the jurisdiction of the court in contravention of this Act, the court shall grant a search warrant authorising any person named therein to enter and examine any place, ship or vehicle named in the warrant and to search for and take samples of petroleum therein and to seize and remove any petroleum-spirit that he may find therein kept, sent, conveyed, or exposed or offered for sale in contravention of this Act, and the vessel containing any such petroleum-spirit, and to detain such petroleum-spirit and vessel until a court of summary jurisdiction has determined whether or not they are to be forfeited.

A D. 1929.

(2) Where any petroleum-spirit or vessel is seized by virtue of a warrant granted under this section—

- (a) proceedings shall be commenced forthwith for determining whether or not it is to be forfeited ; and
- (b) the person seizing it shall not be liable to any proceedings for detaining it or for any loss or damage incurred in respect thereof except where the loss or damage is due to any wilful act or neglect while the petroleum-spirit or vessel is so detained ; and
- (c) in the case of any petroleum-spirit or vessel seized in any ship or vehicle, the person seizing it may for the purposes of the removal thereof use, during twenty-four hours after the seizure, the ship or vehicle in which it was seized, with the tackle, beasts and accoutrements belonging thereto, but if he do so shall pay to the owner of the ship or vehicle reasonable compensation for the use thereof ; and the amount of such compensation shall, in default of agreement, be assessed by the court of summary jurisdiction before which proceedings are taken for determining whether or not the petroleum-spirit or vessel is to be forfeited, and may be recovered in like manner as fines under this Act may be recovered.

(3) If any person by himself or by anyone in his employ or acting by his direction or with his consent refuses or fails to admit into any place, ship or vehicle occupied by him or under his control any person authorised by a warrant granted under this section to enter that place, ship or vehicle, or obstructs or prevents any person from making any search, examination or seizure or taking any samples which he is authorised by such a warrant to make or take, the first-mentioned person shall be liable on summary conviction to a fine not exceeding twenty pounds and may be ordered by the court to forfeit any petroleum-spirit which is found in his possession or under his control with or without any vessel in which it is contained.

*Power to apply Act to other Substances.*

19.—(1) The Governor of Northern Ireland may by Order in Council apply to any substance any of the

Power to  
make Orders  
in Council  
applying  
Act to other  
substances.

A.D. 1929.

provisions of this Act specified in the Order, with such modifications, if any, as may seem to the said Governor to be desirable having regard to the nature of the substance to which the Order relates.

(2) While any Order in Council relating to any substance is in force under this section, the provisions of this Act thereby applied shall have effect as if the substance were included in the definition of petroleum-spirit, but subject to such modifications, if any, as may be provided by the Order.

(3) Any Order in Council made under this section may be varied or revoked by any subsequent Order.

*Supplementary.*

Provisions  
as to  
apparatus  
for and  
method of  
testing  
petroleum.

42 & 43 Vict.  
c. 47.

20.—(1) The Ministry of Commerce shall, on payment of such fee, not exceeding five shillings, as the said Ministry may from time to time prescribe, cause every apparatus, constructed in accordance with the specification contained in Part I. of the Second Schedule to this Act or with that contained in the First Schedule to the Petroleum Act, 1879, which is submitted to the said Ministry for the purpose to be compared with the appropriate model deposited as provided by this sub-section, and to be verified, and shall stamp or cause to be stamped with a mark approved by the said Ministry and notified in the Belfast Gazette every such apparatus that is found to be correct; so, however, that no apparatus constructed in accordance with the specification contained in the First Schedule to the Petroleum Act, 1879, shall after the expiration of a period of two years from the sixteenth day of April, nineteen hundred and twenty-nine, be so verified and stamped unless it has been previously verified and stamped before the expiration of that period.

A model of the test apparatus described in Part I. of the Second Schedule to this Act, and (so long as the same is necessary for the purposes of this sub-section) a model of the test apparatus described in the First Schedule to the Petroleum Act, 1879, shall be deposited with the Ministry of Commerce. Provided that, until a model, as described in either such Schedule, is so deposited, apparatus for testing petroleum which has been stamped after comparison with a model corresponding to such description, and deposited at the Standards Department of the Board of Trade, shall

be deemed to have been duly verified and stamped by the Ministry of Commerce in accordance with the provisions of this sub-section.

A.D. 1929.

(2) No apparatus for testing petroleum stamped in accordance with the provisions of section three of the Petroleum Act, 1879, or of this section shall be deemed to have been verified under those provisions unless—

- (a) it has been stamped either by the Board of Trade or the Ministry of Commerce within ten years ; and
- (b) no part of the apparatus has been materially altered, repaired, or replaced since the apparatus was last stamped ;

but save as aforesaid all such apparatus purporting to be so stamped shall be deemed to have been verified under the aforesaid provisions until the contrary is proved.

(3) All fees payable under this section shall be paid into the Exchequer of Northern Ireland.

**21.** All regulations made by the Minister of Home Affairs under this Act shall be laid before each House of Parliament as soon as may be after they are made, and, if an Address is presented to the Governor of Northern Ireland by either House of Parliament within the statutory period next after any such regulation is laid before it, praying that the regulation may be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder or to the making of any new regulation.

Laying of regulations before Parliament.

**22.** Any byelaws confirmed by the Ministry of Commerce under this Act shall be published by the authority by whom they were submitted in such manner as the said Ministry may direct.

Publication of certain byelaws.

**23.—(1)** In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them (that is to say) :—

Interpretation.

“ Amenities ” in relation to any place, includes any view of or from that place :

“ Canal ” and “ canal company ” have respectively the same meanings as in the Regulation of Railways Act, 1873 :

36 & 37 Vict.  
c. 48.

A.D. 1929.  
—

“Clerk” includes secretary :

“Contravention” includes, in relation to any provision, a failure to comply with that provision, and the expression “contravene” shall be construed accordingly :

“Dock” includes any pier, jetty or other place, in or at which ships can ship or unship goods or passengers :

“Government inspector” means a government inspector under the Explosives Act, 1875 :

“Harbour” means any harbour, whether natural or artificial, and any port, haven, estuary, tidal or other river, canal or inland navigation navigated by sea-going ships and, subject to the provisions of this Act, any dock :

“Harbour authority” means any person or body of persons in whom are vested by or under any Act of Parliament powers and duties of improving, maintaining or managing a harbour, so, however, that where, as respects any dock within a harbour, such powers and duties are separately vested by or under any Act of Parliament in any person or body of persons, that person or body shall, as respects that dock, be the harbour authority, and the dock shall be deemed to be a separate harbour :

“I.W.G.” means the denominations of standards approved by Order in Council made under the Weights and Measures Act, 1878, and dated the twenty-third day of August, eighteen hundred and eighty-three, known as the “Imperial Wire Gauge” :

“Licensed premises” means any premises in respect of which a petroleum-spirit licence is in force under this Act :

“Minister of Home Affairs” means the Minister of Home Affairs for Northern Ireland :

“Motor vehicles” includes all mechanically-propelled vehicles intended or adapted for use on roads :

“Petroleum” includes crude petroleum, oil made from petroleum, or from coal, shale, peat or other bituminous substances, and other products of petroleum :

38 & 39 Vict.  
c. 17.41 & 42 Vict.  
c. 49.



“Petroleum filling station” means any premises or place used or intended to be used by way of trade or for purposes of gain for fuelling motor vehicles with petroleum, and includes any building, advertisement, pump or other apparatus in, or used in connection with, any such premises : A.D. 1929.

“Petroleum-spirit” means such petroleum as when tested in the manner set forth in Part II. of the Second Schedule to this Act gives off an inflammable vapour at a temperature of less than seventy-three degrees Fahrenheit :

“Petroleum-spirit licence” means a licence authorising the keeping of petroleum-spirit granted by a local authority empowered under this Act to grant such a licence or by the Minister of Home Affairs :

“Ship” includes every description of vessel used in navigation, whether propelled by oars or otherwise :

“Statutory period” means a period comprising five days at least on which the House of Commons or the Senate (as the case may require) has sat, but not being in any case shorter in duration than ten days, such days being reckoned without regard to the question whether they are comprised in one or in more than one session of Parliament.

(2) References in this Act to enactments of the Parliament of the United Kingdom shall be construed as references to those enactments as they apply in Northern Ireland.

**24.**—(1) The powers conferred by this Act shall be in addition to and not in derogation of any other powers conferred on any local authority, harbour authority, or canal company by any Act (not being an enactment repealed by this Act), or by law or custom. Savings.

(2) Nothing in this Act shall be deemed to exempt any person from any penalty to which he would otherwise be subject in respect of a nuisance.

**25.**—(1) This Act may be cited as the Petroleum (Consolidation) Act (*Northern Ireland*), 1929.

Short title,  
repeal  
and com-  
mencement.

A.D. 1929

(2) The enactments set out in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule :

Provided that—

- (a) any appointment, byelaw, regulation, order, licence, certificate or warrant, made, granted, given or issued, and any proceedings taken, under any enactment hereby repealed, shall have effect as if made, granted, given, issued, or taken under the corresponding provision of this Act, and references in this Act to any appointment, byelaw, regulation, order, licence, certificate, warrant or proceedings shall have effect accordingly ;
- (b) any byelaws made by a harbour authority as defined by this Act with respect to the landing of petroleum-spirit, being byelaws which under sub-section (2) of section six of the *Petroleum (Amendment) Act (Northern Ireland), 1929*, applied with the necessary modifications to the loading of ships with such spirit, shall, until revoked, continue so to apply ;
- (c) any regulations made under section five of the *Locomotives on Highways Act, 1896*, and continued in force by sub-section (4) of section twenty of the *Petroleum (Amendment) Act (Northern Ireland), 1929*, shall have effect as if made under section ten of this Act, and in so far as any such regulations relate to any substance other than petroleum-spirit, section ten of this Act shall be deemed to have been applied to that substance under section nineteen of this Act ;
- (d) any Order in Council made under section fourteen of the *Petroleum Act, 1871*, and continued in force by sub-section (4) of section sixteen of the *Petroleum (Amendment) Act (Northern Ireland), 1929*, shall have effect as if made under section nineteen of this Act ;
- (e) any licence granted under section eight of the *Petroleum Act, 1871*, by any justices in petty sessions or by the commissioners of a town not being an urban district, and continued in

19 Geo. 5,  
c. 8.

59 & 60 Vict.,  
c. 36.

34 & 35 Vict.,  
c. 105.

force by section seventeen of the Petroleum (Amendment) Act (*Northern Ireland*), 1929, shall have effect as if it had been granted by the local authority empowered under this Act to grant petroleum-spirit licences ;

A.D. 1929.

- (f) any document referring to any enactment repealed by this Act shall be construed as referring to this Act and to the corresponding enactment, if any, therein.

(3) The mention of particular matters in this section shall not be held to prejudice or affect the general application of section thirty-eight of the Interpretation Act, 1889, with regard to the effect of repeals.

52 & 53 Vict.  
c. 63.

(4) This Act shall come into operation on the first day of January, nineteen hundred and thirty.

## SCHEDULES.

### FIRST SCHEDULE.

Section 4.

#### RATES OF FEES PAYABLE IN RESPECT OF LICENCES TO KEEP PETROLEUM-SPIRIT.

|                                                  |        |   |   |        | Rates per<br>annum of<br>fees payable. |    |        |
|--------------------------------------------------|--------|---|---|--------|----------------------------------------|----|--------|
| In respect of a licence to keep a quantity—      |        |   |   |        | £                                      | s. | d.     |
| not exceeding 100 gallons                        |        |   |   |        | -                                      | 0  | 5 0    |
| exceeding 100 gallons, not exceeding 500 gallons |        |   |   |        | -                                      | 0  | 10 0   |
| „                                                | 500    | „ | „ | 1,000  | „                                      | -  | 0 15 0 |
| „                                                | 1,000  | „ | „ | 5,000  | „                                      | -  | 1 0 0  |
| „                                                | 5,000  | „ | „ | 10,000 | „                                      | -  | 2 0 0  |
| „                                                | 10,000 | „ | „ | 20,000 | „                                      | -  | 3 0 0  |
| „                                                | 20,000 | „ | „ | 50,000 | „                                      | -  | 4 0 0  |
| exceeding 50,000 gallons                         |        |   |   |        | -                                      | 5  | 0 0    |

*Note.*—In the case of a solid substance for which, by virtue of an Order in Council made (or having effect as if made) under section nineteen of this Act, a licence is required to be granted, the fee payable under this schedule shall be calculated as if ten pounds weight of the substance were equivalent to one gallon.

A.D. 1929.

## SECOND SCHEDULE.

Sections 20  
& 23 (1).

TEST APPARATUS TO BE USED AND MANNER OF TESTING PETROLEUM  
THEREWITH SO AS TO ASCERTAIN THE TEMPERATURE AT WHICH  
IT WILL GIVE OFF INFLAMMABLE VAPOUR.

## PART I.

## SPECIFICATION OF THE TEST APPARATUS.

*General.*

The apparatus to be employed shall be the Abel Petroleum Testing apparatus or the Abel apparatus modified by having an oil cup provided with a stirrer. It shall be constructed to the dimensions herein specified within the limits of accuracy prescribed by the tolerances set forth below.

*The Oil Cup.*

The oil cup consists of a cylindrical vessel open at the top and fitted on the outside with a flat circular flange projecting at right angles.

Within the cup, fixed through the wall and silver soldered or brazed in place, there is a gauge consisting of a piece of wire bent upwards and terminating in a point.

Material :—brass or gunmetal.

|                                                                | Dimension. | Tolerance. |
|----------------------------------------------------------------|------------|------------|
| Cup, wall and bottom thickness - - -                           | 17 I.W.G.  | —          |
| „ internal diameter - - - -                                    | 2"         | ±0.05"     |
| „ internal depth - - - -                                       | 2.2"       | ±0.05"     |
| Flange, thickness - - - -                                      | 17 I.W.G.  | —          |
| „ width - - - -                                                | 0.5"       | ±0.05"     |
| „ distance of upper side from top edge<br>of cup - - - -       | 0.375"     | ±0.05"     |
| Gauge, thickness, not less than - - -                          | 10 I.W.G.  | —          |
| „ distance of point from level of upper<br>edge of cup - - - - | 0.7"       | ±0.005"    |

*The Cover.*

The cup is provided with a close-fitting cover with a downward projecting rim barely reaching the flange on the cup. The downward projecting rim is made solid with the top or silver soldered or brazed in place. Upon the cover are mounted a thermometer socket, trunnions to support an oil-test lamp, a pair of guides in which a slide moves, and a white bead. The top of the cover is pierced by three rectangular holes symmetrically placed on a diameter, one in the centre and the other two as close as practicable to the inner sides of the cover-rim and opposite each other. These three holes are covered or uncovered by means of a slide moving in suitably disposed guides. The slide has two perforations, one corresponding in all particulars to the centre hole in the cover and the other to one of the holes at the side. The movement of the slide is restricted by suitable stops, and its length and the disposition of the holes are such, that at the outer extremity of the movement of the slide, the holes in the cover are simultaneously just completely opened and at the inner extremity of the movement of the slide they are completely closed.

The trunnions supporting the test lamp are fixed on the top of the guides and the lamp is mounted in the trunnions so that it is free to oscillate. The lamp is provided with a jet to contain a wick and is so arranged that when the slide is moved so as to uncover the holes, the oscillating lamp is caught by a pin fixed in the slide and tilted over the central hole in such a way that the lower edge of the cover bisects the circle formed by the bore of the jet when in the lowest position. The flame then occupies a central position within the hole in both directions.

A.D. 1929.  
2ND SCH.  
—*contd.*

A suitably mounted gas-jet may be substituted for the lamp.

The thermometer socket is in the form of a split tube, mounted on a diameter at right angles to the diameter through the centres of the holes, and fitted at such an angle as to bring the bulb of the thermometer, when in place, vertically below the centre of the cover and at the correct distance from it.

A white bead, the dimensions of which represent the size of test flame to be used, is mounted in a visible position on the cover.

Materials:—all parts excepting bead:—brass or gun-metal.  
bead:—ivory or other suitable material.

| —                                                                                        | Dimension.    | Tolerance.                                                                      |
|------------------------------------------------------------------------------------------|---------------|---------------------------------------------------------------------------------|
| Cover, thickness - - -                                                                   | 0.05"         | +0.015"                                                                         |
| „ central hole, length (in direction of slide) - -                                       | 0.5"          | ±0.005"                                                                         |
| „ width - - -                                                                            | 0.4"          | ±0.005"                                                                         |
| „ peripheral holes length (in direction of slide) - -                                    | 0.2"          | ±0.005"                                                                         |
| „ width - - -                                                                            | 0.3"          | ±0.005"                                                                         |
| Slide, thickness - - -                                                                   | 20 I.W.G.     | —                                                                               |
| „ width of upper surface -                                                               | 0.5"          | +0.01"                                                                          |
| Lamp. Overall length of jet -                                                            | Approx. 0.6"  | (excess only.)<br>To suit the requirements for the position of jet when tilted. |
| „ Bore of jet at end - -                                                                 | 0.0625"       | ±0.005"                                                                         |
| Bead. Diameter - - -                                                                     | 0.15"         | ±0.01"                                                                          |
| Thermometer Socket :                                                                     |               |                                                                                 |
| Internal diameter - - -                                                                  | 0.6"          | ±0.01"                                                                          |
| Length of short side measured from under surface of cover                                | Approx. 0.5"  |                                                                                 |
| Length of long side measured from under surface of cover                                 | Approx. 0.75" | —                                                                               |
| Distance of centre of socket from centre of cover measured on the underside -            | Approx. 0.7"  | —                                                                               |
| These dimensions are subject to the correct placing of the thermometer when in position. |               |                                                                                 |
| Vertical depth of lowest part of thermometer below centre of under-side of cover -       | 1.5"          | ±0.1"                                                                           |

A.D. 1929.

2ND SCH.  
—contd.*Cover fitted with stirrer.*

Provision may be made in the cover for the reception of a stirrer which projects into the oil cup, for use with viscous materials only.

A bush is mounted on the cover in a position diametrically opposite the thermometer mounting and its length is such and it is set at such an angle that the stirrer rod clears the oil-level gauge and the blades operate below the level of and without fouling the thermometer bulb. The bush is placed as near as practicable to the outer edge of the cover.

The stirrer consists of a round stem having four blades or vanes silver soldered in place at one end. A collar is fixed on the stem so that when the stem is inserted into the bush from below, it is arrested at a position such that the correct length protrudes into the oil cup. The top end of the stem is reduced and screwed.

A long sleeve having an internally screwed, knurled knob soldered to its upper end, is passed over the upper end of the stem and screwed home. The length of the sleeve is such that a flat-faced collar at its lower end just comes into contact with the upper end of the bush, leaving the stirrer free to rotate without appreciable vertical play.

A flat-headed cylindrical plug is provided for insertion in the bush when the stirrer is not in use.

Material :—brass or gun-metal.

|                                                                                                        | Dimension.                     | Tolerance. |
|--------------------------------------------------------------------------------------------------------|--------------------------------|------------|
| Stem, length overall - - - -                                                                           | 4"                             | ±0.1"      |
| " " Lower end to point of attachment of blades - - -                                                   | Approx. 0.1"                   | —          |
| " " Lower end to upper surface of collar - - -                                                         | 1.9"                           | ±0.1"      |
| " " Upper surface of collar to lower end of thread - - -                                               | 2"                             | ±0.1"      |
| " " Diameter of stem - - -                                                                             | Approx. 0.125"                 | —          |
| " " " of collar - - -                                                                                  | Approx. 0.25"                  | —          |
| " Thread - - - -                                                                                       | 7 B.A.                         | —          |
| Blades, Thickness - - - -                                                                              | 17 I.W.G.                      | —          |
| " Length excluding root - - -                                                                          | 0.5"                           | ±0.01"     |
| " Breadth (all corners of blades rounded) - - - -                                                      | $\frac{5}{16}$ "<br>(0.3125"). | ±0.01"     |
| " Blade angle - - - -                                                                                  | Approx. 45°                    | —          |
| Sleeve. Length, to suit stem, giving free rotation with no appreciable vertical play when screwed home | —                              | —          |
| Diameter of bore - - - -                                                                               | Sliding fit on stem.           | —          |
| Diameter of collar - - - -                                                                             | Approx. 0.25'                  | —          |

*Heating Vessel.*

The heating vessel or bath consists of two flat-bottomed cylindrical copper vessels placed coaxially one inside the other and soldered at their tops to a flat copper ring, greater in outside diameter than the

larger vessel and of smaller inside diameter than the smaller vessel. The space between the two vessels is thus totally enclosed and is used as a water jacket.

A.D. 1929.

2ND SCH.  
—contd.

An ebonite or fibre ring of right-angle section is fitted into the hole in the centre of the flat ring forming the top of the bath and, when the apparatus is in use, the oil cup fits into, and its flange rests upon, this ebonite or fibre ring so that the oil cup is centrally disposed within the heating vessel. The ebonite or fibre ring is secured in place by means of six small screws having their heads sunk below the surface of the ring, to avoid metallic contact between the bath and the oil cup.

A split socket, similar to that on the cover of the oil cup, but set vertically, allows a thermometer to be inserted into the water-space. A funnel and overflow pipe also communicate with the water-space through the top plate and two loop handles are provided thereon.

| —                              | Dimension.                                                   | Tolerance. |
|--------------------------------|--------------------------------------------------------------|------------|
| Inner vessel :                 |                                                              |            |
| Thickness - - -                | 24 I.W.G.                                                    | —          |
| Internal Diameter - -          | 3"                                                           | ±0.05"     |
| Internal depth - - -           | 2.5"                                                         | ±0.05"     |
| Outer vessel :                 |                                                              |            |
| Thickness, not less than -     | 24 I.W.G.                                                    | —          |
| Internal diameter - -          | 5.5"                                                         | ±0.1"      |
| Internal depth - - -           | 5.75"                                                        | ±0.1"      |
| Top plate :                    |                                                              |            |
| Thickness not less than -      | 20 I.W.G.                                                    | —          |
| Outer flange projection -      | 0.375"                                                       | ±0.1"      |
| Diameter of central hole -     | To suit ebonite or fibre ring. Clearance not to exceed 0.1". | —          |
| Ebonite or fibre ring :        |                                                              |            |
| Internal diameter - -          | Easy fit on oil cup                                          | —          |
| External diameter of flange -  | 2.75"                                                        | ±0.02"     |
| Overall depth of spigot -      | 0.25"                                                        | ±0.02"     |
| Thickness, flange and spigot - | 0.08"                                                        | ±0.005"    |
| Screws, C.S. - - -             | 8 B.A. × 0.15"                                               | —          |
| Thermometer socket :           |                                                              |            |
| Internal diameter - -          | 0.6"                                                         | ±0.01"     |
| Height from top of plate -     | 0.75"                                                        | ±0.05"     |

The bath rests upon a cast-iron tripod stand, to the ring of which is attached a cylindrical copper jacket not less than 24 I.W.G. flanged inwards at the top, and of such dimensions that the bath, while resting firmly on the iron ring, just touches with its outward projecting flange the inward-turned flange of the jacket. Two handles are provided on the outer jacket.

Diameter of the outer jacket 6.5 inches ± 0.1 inches.

#### *Spirit Lamp.*

A spirit lamp is provided for raising the temperature of the water bath, but any other means approved by the Ministry of Commerce may be employed for this purpose.

A.D. 1929.

*Thermometers.*2ND SCH.  
—*contd.*

Two thermometers are provided with the apparatus, the one for ascertaining the temperature of the bath, the other for determining the flashing point.

*Oil Cup Thermometer.*

- Type - Mercury in glass, nitrogen filled, graduated on the stem, enamel back.
- Length - Approximately 9 inches.
- Stem - Diameter 0.24 inches to 0.28 inches.
- Bulb - Spherical : made of a normal glass approved by the Ministry of Commerce.  
Diameter, 0.35 inches  $\pm$  0.05 inches.
- Range - 50 degrees Fahrenheit to 150 degrees Fahrenheit with expansion chamber. Distance from the bottom of the bulb to the 50 degree line 2.75 inches to 3.15 inches. Distance from the 50 degree line to the 150 degree line not less than 4.75 inches.
- Immersion - A swelling is made in the stem to ensure that the thermometer shall be fixed in its brass collar so that the distance from the top of the collar to the bottom of the bulb is 2.4 inches  $\pm$  0.05 inches.
- Graduation - Scale graduated in 1 degree Fahrenheit divisions. Every fifth degree and tenth degree to be indicated by longer lines. Figured at every tenth degree in full.
- Marking - "Abel Oil Cup" : Identification number : "Fahrenheit" : Maker's or Vendor's name or trade mark.

*Water Bath Thermometer.*

- Type - Mercury in glass, nitrogen filled, graduated on the stem, enamel back.
- Length - Approximately 9 inches.
- Stem - Diameter, 0.24 inches to 0.28 inches.
- Bulb - Cylindrical : made of a normal glass approved by the Ministry of Commerce. Length approximately 0.8 inches. Diameter not to exceed the diameter of the stem.
- Range - 90 degrees Fahrenheit to 190 degrees Fahrenheit with expansion chamber. Distance from the bottom of the bulb to the 90 degree line 3.95 inches to 4.35 inches. Distance from the 90 degree line to the 190 degree line not less than 3.55 inches.
- Immersion - A swelling is made in the stem to ensure that the thermometer shall be fixed in its brass collar so that the distance from the top of the collar to the bottom of the bulb is 3.5 inches  $\pm$  0.1 inches.
- Graduation - Scale graduated in 1 degree Fahrenheit divisions. Every fifth degree and tenth degree to be indicated by longer lines. Figured at every tenth degree in full.
- Marking - "Abel Water Bath" : Identification number : "Fahrenheit" : Maker's or Vendor's name or trade mark.



The brass collar of the thermometer is in each case of the following dimensions :—

|                     |   |                                 |
|---------------------|---|---------------------------------|
| Outside diameter    | - | push fit in socket.             |
| Thickness of tube   | - | 22 I.W.G.                       |
| Thickness of flange | - | 0.1 inches. $\pm$ 0.001 inches. |

A.D. 1929.

2ND SCH.  
—*contd.*

## PART II.

### *Manner of Testing Petroleum.*

1. For the purposes of this Act petroleum shall be tested either by means of apparatus constructed in accordance with the specification contained in Part I of this Schedule, or by means of apparatus constructed in accordance with the specification contained in the First Schedule to the Petroleum Act, 1879, and verified and stamped by the Board of Trade or the Ministry of Commerce.

2. The test apparatus shall be placed for use in a position where it is not exposed to currents of air or draughts.

3. The heating vessel or water-bath shall be filled by pouring water into the funnel until it begins to flow out at the spout of the vessel. The temperature of the water at the beginning of the test shall be 130 degrees Fahrenheit and no heat shall be applied to the water-bath during the test. When a test has been completed and it is desired to make another test the water-bath shall be again raised to 130 degrees Fahrenheit which may conveniently be done while the petroleum cup is being emptied, cooled and refilled with a fresh sample to be tested. The next test is then proceeded with.

4. If an oil test-lamp is being used it shall be prepared by fitting it with a piece of flat plaited candle-wick, and filling it with colza or rape-oil up to the lower edge of the opening of the spout or wick tube. The lamp shall be trimmed so that when lighted it gives a flame of about 0.15 of an inch diameter, and this size of flame, which is represented by the projecting white bead on the cover of the oil-cup, is readily maintained by simple manipulation from time to time with a small wire trimmer. A gas test-lamp may be employed, and if so, the size of the jet of flame shall be adjusted to the size laid down above.

5. The bath having been raised to the proper temperature, the cup shall be placed on a level surface in a good light and the oil to be tested shall be poured into it, until the level of the liquid just reaches the point of the gauge which is fixed in the cup. Before a test is begun the temperature of the oil shall be determined and shall be brought to approximately 60 degrees Fahrenheit. The cover, with the slide closed, shall then be put on to the cup and pressed down so that its edge rests on the rim of the cup, and the cup shall be placed into the bath or heating vessel, every care being taken to avoid wetting the sides of the cup with the oil. The thermometer in the lid of the cup has been adjusted so as to have the correct immersion when the brass collar of the thermometer is properly seated, and its position shall not in any circumstances be altered. When the cup has been placed in the proper position, the scale of the thermometer faces the operator.

A.D. 1929.

2ND SCH.  
—*contd.*

6. The test-lamp shall then be placed in position upon the lid of the cup. When the temperature has reached 66 degrees Fahrenheit the operation of testing shall be begun, the test flame being applied once for every rise of one degree, in the following manner :—

The slide shall be slowly drawn open while a metronome, set so as to beat at the rate of 75 to 80 beats in the minute, beats three times and shall be closed during the fourth beat. A pendulum of 24 inches effective length may be used in place of the metronome, counting one beat from one extremity of the swing to the other.

Section 25.

## THIRD SCHEDULE.

## ENACTMENTS REPEALED.

| Session and Chapter.  | Short Title.                                                     | Extent of Repeal. |
|-----------------------|------------------------------------------------------------------|-------------------|
| 34 & 35 Vict., c. 105 | The Petroleum Act, 1871                                          | The whole Act.    |
| 42 & 43 Vict., c. 47  | The Petroleum Act, 1879                                          | The whole Act.    |
| 19 Geo. 5, c. 8.      | The Petroleum (Amendment) Act ( <i>Northern Ireland</i> ), 1929. | The whole Act.    |

## CHAPTER 14.

An Act to provide for the maintenance of proper standards of quality in connection with the marketing of butter and cream in certain cases, for the licensing of persons engaged in such marketing, and for the registration of premises where butter or cream is produced or prepared for sale or consignment, and for other purposes connected therewith. [19th December, 1929.]

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of *Northern Ireland* in this present Parliament assembled, and by the authority of the same, as follows :—

PART I.

A.D. 1929.

REGISTRATION OF PREMISES.

1.—(1) All premises used as—

Registration  
of premises.

- (a) an auxiliary creamery, that is to say, for the purpose of extracting cream from the milk supplies of several cow-keepers ; or
- (b) a central creamery, that is to say, for the purpose of extracting cream from the milk supplies of several cow-keepers or for the assembling of cream from auxiliary creameries, for sale as cream or for the manufacture of butter ; or
- (c) a butter factory, that is to say, any premises on which by way of trade butter is blended, reworked, or subjected to any other treatment, but not so as to cease to be butter ; or
- (d) a wholesale depot for the purpose of collecting, examining or classifying butter for despatch, without treatment, to Great Britain, the Irish Free State or the Isle of Man ;

shall be registered by the owner or occupier thereof with the Ministry of Agriculture (in this Act referred to as “ the Ministry ”) in such manner as the Ministry may prescribe, and any person using or causing to be used for any of the above-mentioned purposes any premises not duly registered for those purposes shall be guilty of an offence under this Act :

Provided that, on application being made by the owner or occupier of any premises registered as a central creamery, the Ministry may authorise, subject to such conditions as the Ministry may prescribe, the said owner or occupier to undertake the process of cutting bulk creamery butter (whether made on the premises or not) into rolls without liability on the part of the owner or occupier to have the premises registered as a butter factory.

(2) The registration of any premises, unless cancelled by the Ministry, shall remain in force until the thirty-first day of December of the year in respect of which the registration takes place, but shall be renewable annually ; and the same provisions shall apply to the renewal of the registration of any premises as apply to the original registration thereof.

A.D. 1929.

(3) A fee of one pound shall be paid to the Ministry in respect of the registration or renewal of the registration of any premises.

52 Geo. 3,  
c. 134.  
7 Edw. 7,  
c. 21.

(4) The Butter Trade (Ireland) Act, 1812, and section one of the Butter and Margarine Act, 1907, so far as it relates to butter factories, are hereby repealed.

Conditions  
relating to  
registration.

2. The Ministry may refuse to register any premises as aforesaid unless the owner or occupier applying for the registration of the premises undertakes to comply with such rules as the Ministry may prescribe as to the manner in which the manufacture, blending, reworking or treatment of, or trade in, butter and cream is to be carried on, and unless the Ministry is satisfied that—

- (a) the premises are structurally suited for the purpose in respect of which registration is sought ;
- (b) the machinery, equipment, and utensils are mechanically efficient and comply with such rules as may be prescribed ;
- (c) the premises in respect of which registration is sought are situated in such a position and are used in such manner as to prevent the exposure of the butter, milk or cream, and all other materials and ingredients used in any process of manufacture, blending, reworking or treatment, or in any trade carried on in the premises, to any noxious effluvium or to any other source of contamination ;
- (d) there is available on or reasonably near the premises an adequate supply of good and wholesome water ;
- (e) the premises do not form part of or communicate, otherwise than by a public street or road, with any other premises which are required to be registered under this Act or under the Sale of Food and Drugs Acts, 1875 to 1907, as amended by this Act : Provided that where—
  - (i) an auxiliary creamery and a wholesale depot, or
  - (ii) a central creamery and a wholesale depot,
 form part of the same premises or communicate with one another, the Ministry may, if it thinks fit, register the said auxiliary creamery, central

- creamery or wholesale depot notwithstanding the foregoing provisions of this paragraph ;
- (f) in the case of each central creamery the manager, assistant manager or any butter-maker employed therein, and in the case of each auxiliary creamery, the manager thereof, holds qualifications of such standard as the Ministry may prescribe : Provided that where a person employed in premises eligible for registration at the date of the passing of this Act furnishes to the Ministry particulars as to his qualifications and experience, together with a certificate by the owner or occupier of the premises as to the period and nature of his employment, such person may, with the approval of the Ministry, be deemed to possess the necessary qualifications.

A.D. 1929.

3.—(1) Where in the opinion of the Ministry certain steps are necessary before any premises can be deemed suitable for registration as aforesaid, and the person who applies for the registration undertakes to carry out the requirements of the Ministry within such period as the Ministry may fix, the Ministry may provisionally register such premises.

Provisional  
registration

(2) A provisional registration shall be granted or renewed on such conditions and for such period as the Ministry may determine, and during the continuance of the provisional registration the premises shall, for the purposes of this Act, be deemed to be registered premises.

(3) The Ministry may, in the prescribed manner, register any premises so provisionally registered as soon as the Ministry is satisfied that its requirements have been complied with.

(4) A fee of one pound shall be paid to the Ministry in respect of the grant or renewal of a provisional registration of premises, but, if such premises are subsequently registered in the prescribed manner on or before the thirty-first day of December in any year for which their provisional registration is in force, no further registration fee shall be payable in respect of them for that year.

4.—(1) The Ministry may by order at any time cancel the registration of any premises—

Cancellation  
of  
registration

A.D. 1929.

- (a) if the owner or occupier of the premises fails to carry out any undertaking given under this Act prior to and as a condition of registration ; or
- (b) if the premises have been used for any purpose of trade in or manufacture of butter or cream other than the purpose for which the said premises were registered ; or
- (c) in the event of the premises, or the machinery, equipment and utensils therein, ceasing to comply with, or of any failure on the part of any person to observe, the conditions for registration enacted in this Act ; or
- (d) if the owner or occupier of the premises is convicted of any offence under this Act.

(2) The Ministry shall give at least one month's clear notice of intention to cancel the registration of any premises, except where the cancellation is effected at the written request of the owner or occupier.

## PART II.

### LICENCES.

Restriction  
on sending  
butter and  
cream to  
Great  
Britain, Irish  
Free State  
and Isle of  
Man.

5. Except as otherwise provided by this Act, a person shall not send or attempt to send butter or cream from Northern Ireland to Great Britain, the Irish Free State, or the Isle of Man, unless he holds a licence for that purpose under this Act, and any person who sends or attempts to send butter or cream out of Northern Ireland in contravention of the provisions of this section shall be guilty of an offence under this Act :

Provided that this section shall not apply to—

- (a) packages of butter, the total gross weight of which does not exceed the maximum weight prescribed by warrant under the Post Office Acts for parcels sent by post ; or
- (b) individual packages of butter not exceeding twenty-eight pounds in weight despatched by a producer of butter who is not the owner or occupier of registered premises.

Power of  
Ministry to  
grant,  
revoke and  
suspend  
licences.

6.—(1) Subject to the provisions of this Act, the Ministry shall have power to grant, revoke, and suspend licences authorising the persons named therein to send

butter or cream from Northern Ireland to Great Britain, the Irish Free State and the Isle of Man.

A. D. 1929.

(2) The Ministry shall have power, before granting any such licence, to inspect the premises of the person applying for the licence and to take samples of any butter or cream on the said premises.

(3) The Ministry may make rules prescribing the standards of quality to which butter and cream sent from Northern Ireland to Great Britain, the Irish Free State or the Isle of Man must conform, the types of containers (that is to say, boxes, casks or other receptacles), the quantity and quality of material to be used for packing, the method of packing and the manner in which packages of butter or cream sent as aforesaid are to be marked: Provided that no such rule as to the marking of packages shall be made so as to interfere with the lawful use by any person of a particular mark or brand for the purposes of his trade or business.

(4) If any person to whom a licence under this Part of this Act has been granted fails to comply with any condition prescribed by rules made under the preceding sub-section or is convicted of any offence under this Act, the Ministry may suspend or revoke the licence granted to him.

(5) Where a licence as aforesaid is granted to the owner or occupier of a central creamery or auxiliary creamery, it shall be the duty of the person licensed to forward such samples of butter or cream as the Ministry may require to any centre fixed by the Ministry for the purpose of inspection, and if such person fails to do so without satisfactory explanation, the Ministry may revoke the said licence.

### PART III.

#### PROVISIONS AS TO ADULTERANTS, UNCLEAN MILK, AND MOISTURE IN BUTTER.

7.—(1) If any substance intended to be used for the adulteration of butter or of cream is found on any registered premises, the occupier of the said premises shall be guilty of an offence under this Act, and if any substance capable of being so used is found on any registered premises it shall be deemed to be intended to be so used unless the contrary is proved.

Prohibition  
of adulter-  
ants on  
registered  
premises.

A.D. 1929.

(2) If any butter or cream is found on any registered premises which is proved, after analysis, to contain any adulterant, the occupier of the said premises shall be guilty of an offence under this Act unless it is proved that such butter or cream was not subjected to any treatment on the said premises.

(3) Section three of the Butter and Margarine Act, 1907, is hereby repealed.

Unclean or  
contamin-  
ated milk.

8.—(1) Any person who offers or supplies to a registered central creamery or auxiliary creamery any unclean, contaminated, or stale milk, or milk which is contained in a vessel which is dirty or internally rusty, shall be guilty of an offence under this Act.

(2) If any unclean, contaminated, or stale milk, or milk which is contained in a dirty or internally rusty vessel, is accepted at a registered central creamery or auxiliary creamery, the occupier thereof shall be guilty of an offence under this Act.

(3) The Ministry shall have power to make such rules as it considers necessary to ensure the freshness and purity of milk delivered at registered premises, and to prescribe the methods of determining whether milk is stale or contaminated.

Limit of  
moisture  
in butter

9.—(1) If any butter, which when prepared for sale or consignment contains more than sixteen per cent. of water, is found on any premises registered under this Act, or if any such butter is consigned from such premises, the occupier of the premises or the consignor, as the case may be, shall (whether the excess moisture is due to adulteration or not) be guilty of an offence under this Act, unless he proves to the satisfaction of the court that the butter was not made, blended, reworked or treated on the registered premises.

(2) Sub-section (1) of section four of the Butter and Margarine Act, 1907, so far as it relates to the limit of moisture in butter, is hereby repealed.

#### PART IV.

##### ADMINISTRATION AND LEGAL PROCEEDINGS.

Powers of  
entry,  
inspection  
and  
sampling.

10.—(1) Any authorised officer shall for the purposes of this Act have power—

(a) to enter at all reasonable times any registered premises and to inspect any machinery, equip-



A D. 1929

ment or utensils found on those premises, or any process of manufacture, blending, re-working or other treatment of butter used thereon, or any butter, butter-like substance or cream, or any containers or packing material, or any article capable of being used in the manufacture or adulteration of butter or cream, which may be found thereon, and to take reasonable samples of any such butter, cream, substance, material, or article for examination or analysis ;

- (b) to enter at all reasonable times any premises where butter is sold, or is exposed, kept, or stored for sale, or is stored for preservation, and to inspect any butter or butter-like substance found thereon, or any containers or packing material in which the butter or butter-like substance is enclosed, and to take reasonable samples of any such butter, substance, or material for examination or analysis ;
- (c) to enter at all reasonable times—
  - (i) the premises of any person engaged in the business of carrying goods for reward ;
  - (ii) any pier, quay, wharf, jetty, dock or dock premises ;
  - (iii) any ship, boat, railway wagon, motor, lorry, cart or other vessel or vehicle used for the conveyance of goods ;

and to examine or retain for examination any package marked for the purposes of Part II. of this Act in the prescribed manner or any package containing butter or cream which he has reason to believe ought, by reason of Part II. of this Act, to be marked in the prescribed manner, and to take from any such package samples of any butter, butter-like substance or cream, for examination or analysis.

(2) Where a sample of any substance is taken by an authorised officer under paragraph (a) or paragraph (b) of sub-section (1) of this section, the sample shall be taken in the presence of the manager of the premises or of some person employed thereon, and shall be divided into two parts, of which one part shall be left with the

A.D. 1929.

person in whose presence the sample has been taken, and the Ministry shall, as soon as conveniently may be, communicate the result of the examination or analysis to the owner or occupier, in the case of registered premises, and in any other case to the owner of or person dealing with the substance of which the sample has been taken.

(3) Where any package is examined by an authorised officer under paragraph (c) of sub-section (1) of this section, the package shall be marked or labelled by the officer to that effect, and such mark or label shall be deemed to be a sufficient notice to the consignor or consignee that the package has been so examined, and where the contents of the package are found not to comply with the conditions as to quality prescribed for the purposes of Part II. of this Act, the Ministry may direct that the package or the whole or any part of the consignment from which it was taken be returned to the consignor.

(4) Where any package is retained under paragraph (c) of sub-section (1) of this section, the owner or consignor shall be notified immediately by the Ministry, and as soon as practicable the package shall be returned to the owner or consignor, or forwarded to the consignee, as may seem advisable to the Ministry, unless after examination it is decided to take proceedings against any person for an offence under this Act in relation to the package, and to retain the package for the purpose of those proceedings. Any such proceedings shall be taken as soon as conveniently may be, and the court before which the prosecution is brought shall have power to make such order as to the disposal of the package (if retained) as the court shall think fit.

(5) If the Ministry has reason to believe that on any unregistered premises there is carried on any process of manufacture, blending, reworking, treatment or trade which under this Act may not be carried on except on registered premises, the Ministry may specially authorise any of its officers to enter the premises, and in such case the officer shall have like powers of entry, inspection and sampling as if the premises were registered.

An authorised officer shall not be entitled to exercise any of his powers under this sub-section unless, if so requested by or on behalf of the occupier of the premises to be entered, he produces his special authority.

(6) Any person who wilfully obstructs or impedes an authorised officer in the exercise of any of his powers when acting in the execution of this Act, or wilfully gives to such officer any false or misleading information, shall be guilty of an offence under this Act.

A.D. 1929.

(7) Without prejudice to the aforesaid powers of inspection and sampling, the Ministry may prescribe from time to time centres to which samples of butter or cream or milk or butter-fat or consignments of butter shall be forwarded by the owners or occupiers of registered premises, or by persons licensed under Part II. of this Act to send butter or cream from Northern Ireland to Great Britain, the Irish Free State and the Isle of Man, and may cause the said samples and consignments to be examined and classified at the prescribed centres in such manner as may be prescribed.

11. The Ministry may, if it thinks fit, have any sample taken under this Act submitted for analysis or bacteriological or other examination, and at the hearing of the information in any proceedings under this Act the production of a certificate purporting to be signed by the person to whom the sample was so submitted shall be sufficient evidence of the facts stated therein, unless the defendant shall require that such person shall be called as a witness.

Power to have samples of butter, cream or milk analysed or examined.

12.—(1) The Ministry may make rules for prescribing anything which under this Act is to be prescribed and generally for carrying this Act into effect.

Power of Ministry to make rules.

(2) All rules made by the Ministry under this Act shall be forthwith laid before both Houses of Parliament if Parliament be then sitting, and, if not, forthwith after the then next meeting of Parliament. If either House, within the statutory period after any rule made by the Ministry under this Act is laid before such House, resolves that the rule ought to be annulled, the rule shall, after the date of the resolution, be of no effect, without prejudice to the validity of anything done in the meantime thereunder or to the making of any new rule.

For the purpose of this sub-section the expression “statutory period” means a period comprising five days at least on which the House in question has sat, but not being in any case shorter in duration than ten days, and

A D. 1929  
—

days comprised in more than one session of Parliament may be reckoned for that purpose.

Prosecution  
of offences  
and penalties

**13.—**(1) All offences under this Act shall be prosecuted, and all fines imposed thereunder shall be recovered, in manner provided by the Summary Jurisdiction (Ireland) Acts; and a person aggrieved by a conviction or order made by a court of summary jurisdiction on determining any information under this Act may appeal in manner provided by the said Summary Jurisdiction Acts.

(2) A prosecution for an offence under this Act shall not be instituted except by or with the consent of the Ministry.

(3) Any person who is found guilty of an offence under this Act shall be liable on conviction—

- (a) in the case of a first offence, to a fine of one pound or any greater sum not exceeding twenty pounds,
- (b) in the case of a second offence, to a fine of three pounds or any greater sum not exceeding fifty pounds,
- (c) in the case of a subsequent offence, to a fine of five pounds or any greater sum not exceeding one hundred pounds, or, if in the opinion of the court, the offence was committed by the personal act, default, or culpable negligence of the person accused, and the court is of opinion that a fine will not meet the circumstances of the case, to imprisonment for a term not exceeding three months:

Provided that an offence under this Act shall not be deemed to be a second or subsequent offence unless the former offence or offences were an offence or offences under the same Part of this Act.

(4) Any person who fails to comply with the provisions of any rules made by the Ministry under this Act shall be guilty of an offence under this Act: Provided that the penalty to which a person shall be liable on conviction for such failure shall be a fine of one pound, or any greater sum not exceeding twenty pounds, for each offence.

**14.** All fines recoverable under this Act shall be paid to the Ministry, and the amount so recovered, and all other sums received under this Act by the Ministry, shall be paid to the Exchequer of Northern Ireland, except so far as they may be appropriated in aid of the moneys provided by Parliament for defraying the expenses of carrying this Act into effect.

A.D. 1929.

Application  
of fines and  
payments.

**15.—(1)** Any person aggrieved by a decision of the Ministry—

Provisions  
as to  
appeals.

(a) refusing to register or renew the registration of any premises under Part I. of this Act ; or

(b) cancelling the registration of any premises under Part I. of this Act ;

may appeal to the county court having jurisdiction where the premises concerned are situate, and the decision of that court shall be final and conclusive.

(2) Rules of court regulating the procedure and costs of an appeal to the county court under this section may be made by the authority having power to make rules and orders for regulating the practice of the civil bill courts.

## PART V.

### MISCELLANEOUS AND GENERAL.

**16.—(1)** The occupier of any registered premises shall keep such records and furnish such returns in relation to the prices obtained for butter made, the receipt, despatch, transit and delivery of butter, and milk and cream dealt with on the registered premises, and the number of persons from whom milk is received, as may be prescribed by the Ministry, and shall permit the said records to be inspected and extracts therefrom to be taken by an authorised officer.

Records and  
returns.

(2) If the occupier of any registered premises wilfully makes default in complying with this section or if he wilfully makes any false or fraudulent statement in any record or return kept or furnished in accordance with this section, or refuses to permit an authorised officer to inspect the said records and take extracts therefrom, he shall be guilty of an offence under this Act.

(3) No individual return or part of a return furnished in pursuance of this section shall be published or disclosed, except for the purpose of a prosecution under this Act.

A.D. 1929.

Use of  
expressions  
"creamery,"  
and  
"creamery  
butter."

17.—(1) The word "creamery" or any colourable imitation of the word "creamery" shall not be applied to or used in connection with any premises not registered under Part I. of this Act as an auxiliary creamery or as a central creamery.

(2) The designation "creamery butter" shall not be applied to butter produced in Northern Ireland and sent from Northern Ireland to Great Britain, the Irish Free State or the Isle of Man, unless the butter was made at premises registered under Part I. of this Act as a central creamery.

(3) Any person who contravenes any provision of this section shall be guilty of an offence under this Act.

Inter-  
pretation.

18.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"Authorized" means authorised by the Ministry:

"Prescribed" means prescribed by rules made by the Ministry under this Act:

"Registered premises" means premises registered under Part I. of this Act.

(2) References in this Act to enactments of the Parliament of the United Kingdom shall be construed as references to those enactments as they apply in Northern Ireland.

Short title  
and com-  
mencement.

19.—(1) This Act may be cited as the *Marketing of Dairy Produce Act (Northern Ireland), 1929*.

(2) This Act shall come into operation on the first day of January, nineteen hundred and thirty-one.

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## CHAPTER 15.

An Act to make provision for the adoption of infants. [19th December, 1929.]

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Upon an application in the prescribed manner by any person desirous of being authorised to adopt an infant who has never been married, the Court may, subject to the provisions of this Act, make an order (in this Act referred to as “an adoption order”) authorising the applicant to adopt that infant.

A.D. 1929.

Power to  
make  
adoption  
orders.

(2) A person so authorised to adopt the infant and an infant authorised to be adopted are in this Act referred to as an “adopter” and an “adopted child” respectively, and “infant” means a person under the age of twenty-one.

(3) Where an application for an adoption order is made by two spouses jointly, the Court may make the order authorising the two spouses jointly to adopt, but save as aforesaid no adoption order shall be made authorising more than one person to adopt an infant.

2.—(1) An adoption order shall not be made in any case where—

Restrictions  
on making  
adoption  
orders.

(a) the applicant is under the age of twenty-five years, or

(b) the applicant is less than twenty-one years older than the infant in respect of whom the application is made :

Provided that it shall be lawful for the court on being satisfied that there are special circumstances which justify as an exceptional measure the making of an adoption order, to make the order notwithstanding that the applicant is less than twenty-one years older than the infant.

(2) An adoption order shall not be made in any case where the sole applicant is a male and the infant in respect of whom the application is made is a female, unless the Court is satisfied that there are special circumstances which justify as an exceptional measure the making of an adoption order.

(3) An adoption order shall not be made except with the consent of every person or body who is a parent or guardian of the infant in respect of whom the application is made or who has the actual custody of the infant or who is liable to contribute to the support of the infant :

A.D. 1929.

Provided that the Court may dispense with any consent required by this sub-section if satisfied that the person whose consent is to be dispensed with has abandoned or deserted the infant or cannot be found or is incapable of giving such consent or, being a person liable to contribute to the support of the infant, either has persistently neglected or refused to contribute to such support or is a person whose consent ought, in the opinion of the Court and in all the circumstances of the case, to be dispensed with.

(4) An adoption order shall not be made upon the application of one of two spouses without the consent of the other of them :

Provided that the Court may dispense with any consent required by this sub-section if satisfied that the person whose consent is to be dispensed with cannot be found or is incapable of giving such consent or that the spouses have separated and are living apart and that the separation is likely to be permanent.

(5) An adoption order shall not be made in favour of any applicant who is not resident and domiciled in Northern Ireland or in respect of any infant who is not a British subject and so resident.

Matters  
with respect  
to which the  
Court is to  
be satisfied.

3. The Court before making an adoption order shall be satisfied—

- (a) that every person whose consent is necessary under this Act and whose consent is not dispensed with has consented to and understands the nature and effect of the adoption order for which application is made, and in particular in the case of any parent understands that the effect of the adoption order will be permanently to deprive him or her of his or her parental rights ; and
- (b) that the order if made will be for the welfare of the infant, due consideration being for this purpose given to the wishes of the infant, having regard to the age and understanding of the infant ; and
- (c) that the applicant has not received or agreed to receive, and that no person has made or given, or agreed to make or give to the appli-



cant, any payment or other reward in consideration of the adoption except such as the Court may sanction.

A.D. 1929.

4. The Court in an adoption order may impose such terms and conditions as the Court may think fit, and in particular may require the adopter by bond or otherwise to make for the adopted child such provision (if any) as in the opinion of the Court is just and expedient.

Terms and  
conditions of  
order.

5.—(1) Upon an adoption order being made, all rights, duties, obligations and liabilities of the parent or parents, guardian or guardians of the adopted child, in relation to the future custody, maintenance and education of the adopted child, including all rights to appoint a guardian or to consent or give notice of dissent to marriage shall be extinguished, and all such rights, duties, obligations and liabilities shall vest in and be exerciseable by and enforceable against the adopter as though the adopted child were a child born to the adopter in lawful wedlock, and in respect of the same matters and in respect of the liability of a child to maintain its parents the adopted child shall stand to the adopter exclusively in the position of a child born to the adopter in lawful wedlock :

Effect of  
adoption  
order.

Provided that, in any case where two spouses are the adopters, such spouses shall in respect of the matters aforesaid, and for the purpose of the jurisdiction of any court to make orders as to the custody and maintenance of and right of access to children, stand to each other and to the adopted child in the same relation as they would have stood if they had been the lawful father and mother of the adopted child, and the adopted child shall stand to them respectively in the same relation as a child would have stood to a lawful father and mother respectively.

(2) An adoption order shall not deprive the adopted child of any right to or interest in property to which, but for the order, the child would have been entitled under any intestacy or disposition, whether occurring or made before or after the making of the adoption order, or confer on the adopted child any right to or interest in property as a child of the adopter, and the expressions "child," "children" and "issue" where used in any disposition whether made before or after the making of an adoption order, shall not, unless the contrary intention appears, include an adopted child or children or the issue of an adopted child.

A.D. 1929.

(3) For the purposes of this section "disposition" means an assurance of any interest in property by any instrument whether inter vivos or by will, including codicil.

(4) For the purposes of the enactments relating to friendly societies, collecting societies and industrial assurance companies, which enable such societies and companies to insure money to be paid for funeral expenses, and which restrict the persons to whom money may be paid on the death of an infant under the age of ten, the adopter shall be deemed to be the parent of the adopted child; and where before the adoption order was made any such insurance had been effected by the natural parent of the infant, the rights and liabilities under the policy shall by virtue of the adoption order be transferred to the adopter, and the adopter shall, for the purposes of the said enactments, be treated as the person who took out the policy.

Power to  
make  
interim  
orders.

6.—(1) Upon any application for an adoption order, the Court may postpone the determination of the application and may make an interim order (which shall not be an adoption order for the purposes of this Act) giving the custody of the infant to the applicant for a period not exceeding two years by way of a probationary period upon such terms as regards provision for the maintenance and education and supervision of the welfare of the infant and otherwise as the Court may think fit.

(2) All such consents as are required to an adoption order shall be necessary to an interim order, but subject to a like power on the part of the Court to dispense with any such consent.

Power to  
make  
subsequent  
order in  
respect of  
infant  
already  
subject to  
an order.

7. An adoption order or an interim order may be made in respect of an infant who has already been the subject of an adoption order, and, upon any application for such further adoption order, the adopter or adopters under the adoption order last previously made shall, if living, be deemed to be the parent or parents of the infant for all the purposes of this Act.

Jurisdiction  
and  
procedure.

8.—(1) The Court having jurisdiction to make adoption orders under this Act shall be the Supreme Court or, at the option of the applicant, any county court within the

jurisdiction of which either the applicant or the infant resides at the date of the application for the adoption order.

A.D. 1929.  

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(2) Provision may be made by rules of the Supreme Court under section sixty-one of the Supreme Court of Judicature (Ireland) Act, 1877, and the enactments amending the same—

40 & 41 Vict.  
c. 57.

- (a) as to the division or court by which applications made to the Supreme Court for adoption orders are to be heard and determined ;
- (b) providing for an appeal upon a question of law from the county court to such division or court of the Supreme Court as may be prescribed by the rules ;
- (c) for the hearing and determination of such applications otherwise than in open court ; and
- (d) for the appointment, upon the hearing of any such application, of a guardian ad litem with the duty of safeguarding the interests of the infant before the Court.

(3) The jurisdiction and powers conferred upon a county court by this Act shall be exercisable in such manner and in accordance with such procedure as may be prescribed by rules made by the authority having power to make rules and orders for regulating the practice of the civil bill courts.

Such rules may provide for applications for adoption orders being heard and determined otherwise than in open court.

(4) For the purpose of any application made to a county court under this Act and subject to any rules of court, that court shall appoint some person or body to act as guardian ad litem of the infant upon the hearing of the application with the duty of safeguarding the interests of the infant before the court.

(5) Where a board of guardians or other local authority is appointed to be guardian ad litem, the Court may authorise the authority to incur any necessary expenditure, and may direct out of which fund or rate such expenditure is to be defrayed, but nothing in this section shall be deemed to authorise the Court to appoint a local authority to act as guardian ad litem of an infant except with the consent of that authority.

A D. 1929.

(6) Rules in regard to any matter to be prescribed under this Act (other than the procedure of the Court), and dealing generally with incidental matters arising out of this Act and for carrying this Act into effect, shall be made by the Lord Chief Justice of Northern Ireland.

Restriction  
on pay-  
ments.

9. It shall not be lawful for any adopter or for any parent or guardian except with the sanction of the Court to receive any payment or other reward in consideration of the adoption of any infant under this Act or for any person to make or give or agree to make or give to any adopter or to any parent or guardian any such payment or reward.

Provisions  
as to  
existing  
de facto  
adoption.

10. Where at the date of the commencement of this Act any infant is in the custody of, and being brought up, maintained and educated by any person or two spouses jointly as his, her or their own child under any de facto adoption, and has for a period of not less than two years before such commencement been in such custody, and been so brought up, maintained and educated, the Court may, upon the application of such person or spouses, and notwithstanding any provision of sub-section (1) or sub-section (2) of section two of this Act, make an adoption order authorising him, her, or them to adopt the infant without requiring the consent of any parent or guardian of the infant to be obtained, upon being satisfied that in all the circumstances of the case it is just and equitable and for the welfare of the infant that no such consent should be required and that an adoption order should be made.

Adopted  
children  
register.

11.--(1) The Registrar-General for Northern Ireland (in this Act referred to as "the Registrar-General") shall establish and maintain at the General Register Office a register to be called the Adopted Children Register, in which shall be made such entries as may be directed to be made therein by adoption orders, but no other entries, except as expressly provided by this section.

(2) Every adoption order shall contain a direction to the Registrar-General to make in the Adopted Children Register an entry recording the adoption in the form set out in the Schedule to this Act, but subject, as respects the entry of a date of birth, to the provisions of the next following sub-section.

A.D. 1929.  
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(3) If, upon any application for an adoption order, the date of the birth of the infant is proved —

- (a) in the case of an infant born in Northern Ireland, by means of a certified copy of an entry in the Register of Births which is proved to the satisfaction of the Court to relate to the infant ; or
- (b) in the case of an infant not born in Northern Ireland, by means of evidence satisfactory to the Court ;

then, but in no other case, the adoption order shall contain a further direction to the Registrar-General to include, in the entry in the Adopted Children Register recording the adoption, the date of the adopted child's birth as stated in the order, in the manner indicated in the Schedule to this Act, and, in the case of a child born in Northern Ireland, to cause the aforesaid entry in the Register of Births to be marked with the word "Adopted."

If, in the case of an adopted child born in Northern Ireland, an entry in the Register of Births of the birth of that child is found after the entry in the Adopted Children Register has been made, the Registrar-General may add the date of birth to the last-mentioned entry and, in that event, shall cause the appropriate entry in the Register of Births to be marked with the word "Adopted."

(4) The prescribed officer of the Court shall cause every adoption order to be communicated in the prescribed manner to the Registrar-General, and upon receipt of such communication the Registrar-General shall cause compliance to be made with the directions contained in such order in regard both to making the appropriate entry in the Adopted Children Register, and to marking any entry in the Register of Births with the word "Adopted."

(5) A certified copy of any entry in the Adopted Children Register if purporting to be sealed or stamped with the seal of the General Register Office shall, without any further or other proof of such entry —

- (a) where the entry does not contain any record of the date of the birth of the adopted child, be received as evidence of the adoption to which the same relates ; and
- (b) where the entry contains a record of the date of the birth of the adopted child, be received

A.D. 1929.

not only as evidence of the adoption to which the same relates but also as evidence of the date of the birth of the adopted child to which the same relates in all respects as though the same were a certified copy of an entry in the Register of Births.

(6) The Registrar-General shall cause an index of the Adopted Children Register to be made and kept in the General Register Office, and every person shall be entitled to search such index and to have a certified copy of any entry in the Adopted Children Register in all respects upon and subject to the same terms, conditions and regulations as to payment of fees and otherwise as are applicable in Northern Ireland under the Births and Deaths Registration (Ireland) Acts, 1863 to 1880, in respect of searches in other indexes kept in the General Register Office, and in respect of the supply from such office of certified copies of entries in the certified copies of the Registers of Births and Deaths.

(7) The Registrar-General shall, in addition to the Adopted Children Register and the index thereof, keep such other registers and books, and make such entries therein as may be necessary, to record and make traceable the connexion between any entry in the Register of Births which has been marked "Adopted" pursuant to this Act and any corresponding entry in the Adopted Children Register, but such last-mentioned registers and books shall not be nor shall any index thereof be open to public inspection or search, nor, except under an order of a court of competent jurisdiction, shall the Registrar-General furnish any person with any information contained in or with any copy or extract from any such registers or books.

(8) Regulations made under the Births and Deaths Registration (Ireland) Acts, 1863 to 1880, as applying in Northern Ireland, may make provision as to the duties to be performed by Superintendent Registrars and Registrars of Births and Deaths in the execution of this Act.

12.—(1) This Act may be cited as the Adoption of Children Act (Northern Ireland), 1929.

(2) This Act shall come into operation on the first day of July, nineteen hundred and thirty.

Short title  
and com-  
mencement

## SCHEDULE.

Section 11.

| 1.            | 2.             | 3.                                                                                          | 4.                    | 5.                                                               | 6.                                                                                       | 7.                                                             | 8.                                                                     |
|---------------|----------------|---------------------------------------------------------------------------------------------|-----------------------|------------------------------------------------------------------|------------------------------------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------------|
| No. of Entry. | Date of Entry. | Name (not including surname) by which it is intended that the Adopted Child shall be known. | Sex of Adopted Child. | Name and Surname, Address and Occupation of Adopter or Adopters. | Date of Birth of Child, and, if Birthplace is not in Northern Ireland, Country of Birth. | Date of Adoption Order and Description of Court by which made. | Signature of Officer deputed by Registrar-General to attest the Entry. |
|               |                |                                                                                             |                       |                                                                  |                                                                                          |                                                                |                                                                        |

A.D. 1929.

A.D. 1929.

## CHAPTER 16.

An Act to apply a Sum out of the Consolidated Fund of Northern Ireland to the service of the year ending on the thirty-first day of March, nineteen hundred and thirty, and to appropriate the further Supplies granted in this Session of Parliament. [19th December, 1929.]

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, for the purpose of making good the supply and applying the sums which the House of Commons have, in pursuance of recommendations from the Governor of Northern Ireland, granted to His Majesty in this Session of Parliament, as follows:—

### GRANT OUT OF CONSOLIDATED FUND.

Issue of  
£83,967 out  
of the Con-  
solidated  
Fund.

1. The Ministry of Finance may issue out of the Consolidated Fund of Northern Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, nineteen hundred and thirty, the sum of eighty-three thousand, nine hundred and sixty-seven pounds.

Power for  
the Ministry  
of Finance  
to borrow.

2.—(1) The Ministry of Finance may borrow from any person, by the issue of Treasury Bills or otherwise, on the credit of the said sum, any sum or sums not exceeding in the whole forty-two thousand pounds.

40 & 41 Vict.,  
c. 2.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March, nineteen hundred and thirty, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills) shall not apply with respect to those Bills.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with any interest due thereon, out of the growing produce of the said Consolidated Fund at any date not later than the quarter next succeeding to that in which the money was borrowed.



(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer of Northern Ireland, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

A.D. 1929.

APPROPRIATION OF GRANT.

3. The sum granted by this Act out of the said Consolidated Fund towards making good the supply granted to His Majesty is appropriated for the several services and purposes expressed in the Schedule of this Act.

Appropriation of grant.

4. This Act may be cited as the Appropriation (No. 2) Act (Northern Ireland), 1929 (Session 2).

Short title

SCHEDULE.

SCHEDULE of sums granted to defray the charges of the several Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March, 1930, viz. :—

|            |                                                                                                                                                                                                                                                             | Sums<br>Granted. |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| No.        | CLASS IV.                                                                                                                                                                                                                                                   | £                |
| 3.         | For the contributions to the Unemployment Fund under the Unemployment Insurance Acts and the Exchequer equalisation grant to the Unemployment Fund under the Unemployment Insurance (Agreement) Act (Northern Ireland), 1926.    ..    ..    ..    ..    .. | 70,000           |
| CLASS VII. |                                                                                                                                                                                                                                                             |                  |
| 2.         | For the expenses of the Ministry of Commerce in respect of harbours and railway, fishery and commercial services, including certain grants in aid ..                                                                                                        | 13,967           |

A.D. 1929.

## CHAPTER 17.

An Act to amend the Widows' Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1925, section three of the Old Age Pensions Act, 1908, section three of the Old Age Pensions Act, 1919, the enactments regulating the right to become a voluntary contributor under the National Health Insurance Acts (Northern Ireland), 1924 to 1928, and the mode of collecting contributions under those Acts, and section ninety-six of the National Health Insurance Act, 1924 ; and to provide for the exclusion of payments on account of widows' or orphans' pensions in the assessment of damages under the Fatal Accidents Acts, 1846 to 1908. [19th December, 1929.]

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

Extension  
of right to  
widows'  
pensions,  
15&16 Geo. 5,  
c. 23.

1.—(1) A widow shall, subject as hereinafter provided, be entitled to a widow's pension payable in accordance with the provisions of the Widows' Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1925 (in this Act referred to as "the principal Act") relating to such a pension, if she has attained the age of fifty-five and is the widow of a man—

(a) who died before the fourth day of January, nineteen hundred and twenty-six, and as respects whom it is shown—

(i) that he was at some time within three years before his death or, if he lived to attain the age of seventy, within three years before the date on which he attained that age, registered as a member of an approved society or as a deposit contributor ; or

(ii) that his normal occupation was at some time within the said period employment in respect of which contributions under

A.D. 1929.

the principal Act would have been payable if that Act had been in force at that time ; or

(iii) that during the late war he served in the naval, military, or air forces of the Crown, or as a master or seaman, for a period of not less than two years and was entitled to be insured while so serving, and died within three years of the termination of that period ; or

(iv) that having volunteered for temporary service abroad in the naval or military forces of the Crown in connection with any naval or military operations previous to the late war, he served during those operations as a man of those forces for a period of not less than one year, and died within three years of the termination of that period ; or

- (b) who died between the third day of January, nineteen hundred and twenty-six, and the first day of January, nineteen hundred and thirty-one, and as respects whom it is shown that at some time within three years before the date of his death or the date on which by reason of his age contributions ceased to be payable in respect of him, his normal occupation was employment of such a kind as is specified in paragraph (f) or paragraph (g) of Part I. of the First Schedule to the Insurance Act ; or
- (c) who having attained the age of seventy before the fourth day of January, nineteen hundred and twenty-six, died on or after that date and was at the time of his death, or would if he had survived the second day of July in that year have been, entitled to an old age pension under the Old Age Pensions Acts (Northern Ireland), 1908 to 1925, by virtue of section twenty of the principal Act :

Provided that—

- (i) a widow who has attained the age of sixty before the commencement of this Act, or who attains that age before the first day of January, nineteen hundred and thirty-

A.D. 1929.

one, shall not become entitled to a pension until the first day of July, nineteen hundred and thirty, or until the date on which she attains the age of sixty, whichever is the later, and a widow who does not attain the age of sixty before the said first day of January shall not become entitled to a pension until that date ;

- (ii) the widow of a man mentioned in paragraph (b) or paragraph (c) of this sub-section shall not, if the marriage took place after the twenty-fifth day of July, nineteen hundred and twenty-nine, become entitled to a pension unless at the date of his death three years have elapsed since the date of the marriage or unless immediately before the marriage she was, or but for any disqualification for the receipt of a pension contained in sub-section (1) of section twenty-one or section twenty-four of the principal Act would have been, in receipt of a widow's pension ;
- (iii) in the case of a man who was an exempt person, or a person employed in an excepted employment, paragraph (c) of this sub-section shall apply subject to the prescribed modifications ;
- (iv) a widow's pension under this section shall not be payable to a woman while a widow's pension is payable to her under section eighteen or section nineteen of the principal Act.

(2) If as respects any period before the thirtieth day of June, nineteen hundred and nineteen, any question arises under paragraph (a) of sub-section (1) of this section whether contributions would have been payable under the principal Act if that Act had then been in force, that question shall be determined as if in paragraph (k) of Part II. of the First Schedule to the Insurance Act the words "one hundred and sixty pounds" were substituted for the words "two hundred and fifty pounds" wherever those words occur.

(3) Sub-section (3) of section forty-four of the principal Act shall in relation to the widow of a man

to whom paragraph (a) of sub-section (1) of this section applies have effect as if for the words "in respect of the insurance of her former husband" there were substituted the words "in respect of the insurance, employment or service of her former husband."

A.D. 1929.

(4) Section eighty-nine of the Insurance Act (which provides for the determination by the Ministry of questions relating to employment) shall apply to any question arising under sub-section (1) of this section whether employment which was, or is alleged to have been, the normal occupation of any person was employment in respect of which contributions under the principal Act would have been payable if that Act had been in force, or, as the case may be, was employment of such a kind as is specified in paragraph (f) or paragraph (g) of Part I. of the First Schedule to the Insurance Act, in the like manner in either case as if the question were a question arising under paragraph (a) of sub-section (1) of the said section eighty-nine.

2.—(1) A woman who has attained the age of sixty-five but has not attained the age of seventy shall, subject as hereinafter provided, be entitled to an old age pension payable in accordance with the provisions of the principal Act relating to such a pension if she is the wife of a man who is entitled by virtue of section twenty of that Act to an old age pension under the Old Age Pensions Acts (Northern Ireland), 1908 to 1925 :

Extension  
of right to  
old age  
pensions in  
the case of  
certain  
women.

Provided that a woman shall not be entitled to a pension under this sub-section unless or until three years have elapsed since the date of the marriage or unless immediately before the marriage she was, or but for any disqualification for the receipt of a pension contained in sub-section (1) of section twenty-one or section twenty-four of the principal Act would have been, in receipt of a widow's pension.

(2) As from the first day of July, nineteen hundred and thirty, a widow shall be entitled to an old age pension under the Old Age Pensions Acts (Northern Ireland), 1908 to 1925, if she would have become entitled to a widow's pension under section one of this Act had she not attained the age of seventy before the said date.

Sub-section (2) of section twenty of the principal Act shall apply to a pension to which a widow becomes entitled

**A.D. 1929.**

by virtue of this sub-section, as it applies to a pension to which a person becomes entitled by virtue of the said section twenty.

(3) A woman shall be entitled to an old age pension under the Old Age Pensions Acts (Northern Ireland), 1908 to 1925, if she has attained the age of seventy and is the wife of a man who was at any time entitled to an old age pension under the principal Act, and accordingly for paragraph (d) of sub-section (1) of section twenty of that Act (which relates to persons over seventy entitled to old age pensions), there shall be substituted the following paragraph :—

“(d) if, being a woman who has attained the age of seventy, she is the wife of a man who is, or was at any time, entitled to an old age pension under this Act ; or ”

Provisions  
as to  
pensioners  
and insured  
persons  
in His  
Majesty's  
dominions  
outside  
Northern  
Ireland.

3.—(1) The provisions of this section shall have effect with respect to persons who are in any part of His Majesty's dominions outside Northern Ireland, whether they left Northern Ireland before or after the commencement of this Act, that is to say—

(a) if a pension would but for the provisions of paragraph (a) of section twenty-two of the principal Act (which relates to the residential qualification of pensioners) be payable under or by virtue of that Act to or in respect of any such person as aforesaid, then the said paragraph (a) shall not apply as regards any sum accruing on account of the pension after the commencement of this Act ;

(b) if any such person as aforesaid being at the date when he last left Northern Ireland an insured person dies or attains the age of sixty-five—

(i) while he continues to be insured ; or

(ii) in the case of a person ceasing to be insured before the expiration of twelve months from the date when he last left Northern Ireland, then before the expiration of those twelve months,

he shall in the last-mentioned case be deemed to have continued to be insured until the date on which he died or attained the age of sixty-

A.D. 1929

five, and in either case, contributions shall be deemed to have been paid in respect of him from the date when he last left Northern Ireland until the date on which he died or attained the age of sixty-five :

Provided that in a case where a pension is claimed in respect of the insurance of a person to whom proviso (i) to section eight of the principal Act applies, the provisions of this paragraph shall have effect as if for the words "or attains the age of sixty-five" there were substituted the words "or if the period of five years from the date on which he entered into insurance expires" and as if for the words "or attained the age of sixty-five" (wherever those words occur) there were substituted the words "or on which the period of five years from the date on which he entered into insurance expired" ;

- (c) if any such person as aforesaid being other than a married woman and at the date when he last left Northern Ireland an insured person was either—

(i) a voluntary contributor under the Insurance Act ; or

(ii) a person entitled to become such a contributor,

he may at any time before the date when he ceases to be insured, or, if he ceases to be insured before the expiration of twelve months from the date when he last left Northern Ireland, then before the expiration of those twelve months, give notice in writing to the Ministry of Labour that he desires to become a voluntary contributor for the purposes of the principal Act, and thereupon contributions shall become payable by him at the ordinary rates as from the week following that in respect of which the last contribution under the principal Act was payable by or in respect of him and shall continue to be so payable until he attains the age of sixty-five, and, if before the date on which he gives such notice as aforesaid he has ceased to be insured, he shall,

A.D. 1929.  

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nevertheless, he deemed to have continued to be insured for the purposes of the principal Act until that date :

Provided that, in the case of an insured person who last left Northern Ireland within the period of twelve months before the commencement of this Act, or who last left Northern Ireland before that period but was insured at the commencement of this Act, a notice for the purposes of this sub-section may be given at any time before the thirty-first day of December, nineteen hundred and thirty.

(2) The Ministry of Labour may make a special order adapting in such manner as the said Ministry thinks necessary the provisions of paragraph (c) of sub-section (1) of this section so as to make them applicable to any person who has served in the Navy, Army, or Air Force services or as a master or seaman and who, if he had returned to Northern Ireland at the expiration of his service, would have been entitled to become a voluntary contributor.

The provisions of sections ninety-four and ninety-five of the Insurance Act (which relate to the procedure for the making of special orders) shall apply in the case of special orders made under this sub-section.

(3) The provisions of sub-section (2) of section three of the Insurance Act (which relates to the position of insured persons ceasing to pay contributions as voluntary contributors) shall apply, subject to such modifications as may be prescribed by regulations to persons who, having become voluntary contributors under paragraph (c) of sub-section (1) of this section, have subsequently ceased to pay contributions and the provisions of sub-section (5) of section seven of the said Act (which relates to the minimum number of contributions to be paid in any year), except the proviso to the said sub-section, shall also apply to such persons.

(4) If a person who has become a voluntary contributor under paragraph (c) of sub-section (1) of this section returns to Northern Ireland, he shall at any time whilst he continues to be insured be entitled, on giving notice in that behalf in writing to the Ministry of Labour,



to become a voluntary contributor for the purposes of the Insurance Act. A.D. 1929.

(5) Payments in respect of a pension which by virtue of the provisions of this section may be made to a person in a part of His Majesty's dominions outside Northern Ireland shall, notwithstanding anything in section twenty-eight of the principal Act, be made at such intervals and in such manner as the Ministry of Labour, with the approval of the Ministry of Finance, may determine.

(6) The Ministry of Labour may make regulations under section thirty of the principal Act for the purpose of carrying this section into effect, and in particular with respect to the notices to be given and the information to be supplied by persons claiming privileges under this section, and with respect to the intervals at which and the manner in which contributions under paragraph (c) of sub-section (1) of this section are to be paid.

(7) In this section the expression "His Majesty's dominions" includes any territory which is under His Majesty's protection, or in respect of which a mandate is being exercised by the Government of any part of His Majesty's dominions.

(8) The provisions of this section shall not apply in the case of any person in any part of His Majesty's dominions outside Northern Ireland with which reciprocal arrangements with respect to pensions are for the time being in force under section thirty-three of the principal Act.

4. Sub-section (3) of section eleven of the principal Act (which makes provision with respect to finance) shall cease to have effect so far as relates to the payments to be made in years subsequent to the year ending on the thirty-first day of March, nineteen hundred and thirty, and in lieu thereof, there shall be paid into the Ministry of Finance pension account out of moneys provided by Parliament—

Amendment  
of financial  
provisions.

- (a) for the following years such sums, not exceeding the sums hereinafter mentioned, as the Ministry of Finance may for each such year determine,

A.D. 1929.

having regard to the assets and liabilities of the said account and of the pensions account (Northern Ireland), namely—

- (i) for the year ending the thirty-first day of March, nineteen hundred and thirty-one, three hundred and fifteen thousand pounds ;
  - (ii) as respects the period of twelve years next succeeding, that is to say, up to and including the year ending the thirty-first day of March, nineteen hundred and forty-three, in the first year of the period three hundred and fifty thousand pounds, rising thereafter by thirty-five thousand pounds in each successive year of the period ;
  - (iii) for each of the next three succeeding years the amount reached in the last year aforesaid, that is to say, a sum not exceeding seven hundred and thirty-five thousand pounds ;
- (b) after the year ending the thirty-first day of March, nineteen hundred and forty-six, such sums as Parliament may hereafter determine.

Amendment  
as to right of  
widows or  
wives of  
men who  
had attained  
sixty at  
date of  
marriage to  
widows' or  
old age  
pensions.

5. For the words “was immediately before the marriage in receipt of a widow's pension,” where those words occur in proviso (c) to sub-section (1) of section three, in the proviso to sub-section (1) of section seven and in the proviso to sub-section (1) of section twenty of the principal Act, there shall be substituted the words “immediately before the marriage was, or but for any disqualification for the receipt of a pension contained in sub-section (1) of section twenty-one or section twenty-four of this Act would have been, in receipt of a widow's pension,” and in the proviso to sub-section (1) of the said section twenty, for the words “five years” there shall be substituted the words “three years.”

Amendment  
with respect  
to statutory  
conditions  
as to pen-  
sions.

6.—(1) For the words “have elapsed since the date of the entry of that person into insurance” in paragraph (b) of section five of the principal Act there shall be substituted the words “elapsed between the date on

“ which that person entered into insurance and the date  
“ on which he died or on which contributions under the  
“ Insurance Act ceased to be payable by or in respect  
“ of him by reason of his age, whichever was the earlier.”

A.D. 1929.

(2) Sections five and eight of the principal Act (which enact the statutory conditions as to widows' and orphans' pensions and old age pensions respectively) shall have effect as if—

(a) at the end of the said section five there were added the following proviso :—

“ Provided that condition (b) shall not apply in any case where the person in respect of whose insurance a pension is claimed—

(i) was at the date on which he attained the age of sixty an insured person and had at that date been continuously insured for a period of ten years or, if he attained the age of sixty before the fifteenth day of July, nineteen hundred and twenty-two, since the fifteenth day of July, nineteen hundred and twelve ; or

(ii) was immediately before the date when he attained the age of seventy, or, if he died before attaining that age, was at the date of his death, entitled to an old age pension under the principal Act ” ; and

(b) at the end of the said section eight there were added the following proviso :—

“ (iv) Conditions (c) shall not apply in any case where the person in respect of whose insurance a pension is claimed was at the date on which he attained the age of sixty years an insured person and had at that date been continuously insured for a period of ten years, or, if he attained the age of sixty before the fifteenth day of July, nineteen hundred and twenty-two, since the fifteenth day of July, nineteen hundred and twelve.”

This sub-section shall be deemed to have had effect as from the commencement of the principal Act, but

A.D. 1929.

where a pension becomes payable by virtue thereof, the person to whom the pension is payable shall not be entitled to any payment on account thereof in respect of any period before the commencement of this Act.

(3) In determining for the purposes of a claim to a widow's pension or an orphan's pension whether the statutory conditions mentioned in the said section five have been complied with, no account shall, unless the payment was made before the commencement of this Act, be taken of contributions paid after the date of the death of the person in respect of whose insurance the pension is claimed; and in determining for the purposes of a claim to an old age pension under the principal Act whether conditions (b) and (c) of the statutory conditions mentioned in the said section eight have been complied with, no account shall, unless the payment was made before the commencement of this Act, be taken of contributions paid after the date on which the person in respect of whose insurance the pension is claimed attained the age of sixty-five, or, if he had attained that age before the appointed day, of contributions paid after the appointed day:

Provided that—

- (a) in a case where the pension is claimed in respect of the insurance of a person to whom proviso (i) to the said section eight applies, the foregoing provision shall have effect as if for the words “the date on which the person “in respect of whose insurance the pension “is claimed, attained the age of sixty-five, or, “if he had attained that age before the “appointed day, of contributions paid after, “the appointed day,” there were substituted the words “the expiration of the “period of five years from the date on which “the person in respect of whose insurance “the pension is claimed entered into in- “surance”; and
- (b) the provisions of this sub-section shall have effect subject to any regulations made under paragraph (e) of sub-section (1) of section thirty of the principal Act.

7. For sub-section (2) of section one of the principal Act, which fixes by reference to the age of a child the date at which any additional allowance or orphan's pension ceases to be payable in respect of him, there shall be substituted the following sub-section :—

A.D. 1929.

Amendment  
of s. 1 of  
principal Act  
with respect  
to duration  
of additional  
allowance  
and orphans'  
pensions.

“(2) The specified age in relation to any child shall be the age of fourteen, or, in the case of a child under full time instruction in a day school, the date on which he ceases to be under such instruction, or the thirty-first day of July next following the date on which he attains the age of sixteen, whichever is the earlier.”

8.—(1) Sub-section (1) of section six of the principal Act (which enacts special provisions as to additional allowances and orphans' pensions) shall apply in a case where a child has before the death of his father or his stepfather, whether before or after the commencement of this Act, been removed by order of any court from the custody of the father or stepfather and placed in the custody of some person other than the mother or stepmother, as it applies in a case where a child has been removed from the custody of the person to whom the additional allowance would be payable.

Amendment  
of s. 6 of  
principal  
Act.

(2) Where the Ministry of Labour is satisfied that a child in respect of whom an additional allowance is payable was not living with the widow at the time when she became a widow or was not immediately after the husband's death being supported by the widow, the said Ministry may, whether the widow has or has not claimed a widow's pension, direct that the additional allowance shall be paid to the person having the charge of the child, to be administered by that person for the benefit of the child.

(3) An application for the purpose of sub-section (3) of the said section six may be made by any woman who is entitled to an additional allowance as part of a widow's pension, notwithstanding that she is not in receipt of the allowance.

(4) Where any person to whom an additional allowance or an orphan's pension in respect of any child would otherwise be payable is by virtue of the provisions of the First Schedule to this Act disqualified for receiving

A.D. 1929.

any sum on account of a pension, the Ministry of Labour may direct that the additional allowance or orphan's pension shall be paid to the person having the charge of the child, to be administered by that person for the benefit of the child.

(5) For the purposes of sections twenty-eight and twenty-nine of the principal Act, an additional allowance shall, unless the context otherwise requires, be deemed to be a separate pension.

Amendment  
with respect  
to persons  
employed in  
excepted  
employ-  
ments.

9.—(1) If in the case of any person who is employed in an employment which is an excepted employment by virtue of a certificate given under paragraph (b) or paragraph (c) of Part II. of the First Schedule to the Insurance Act, contributions under the principal Act either—

(a) cease to be payable ; or

(b) become payable at the reduced rates mentioned in Part IV. of the First Schedule to that Act instead of at the ordinary rates ;

that person shall be entitled to become a voluntary contributor under the Insurance Act in the same manner as if he had ceased to be employed in such an excepted employment as aforesaid, and the provisions of the Insurance Act relating to the continuance in insurance of persons ceasing to be employed shall, subject to such modifications as may be prescribed, apply to him as if he had ceased to be employed, and, if he is a person in respect of whose insurance a widow's pension or an orphan's pension is payable, statutory condition (b) in section five of the principal Act shall not apply.

(2) In determining for the purposes of sub-section (5) of section fifteen of the principal Act whether a person has been employed in an excepted employment to which that section applies, and whether contributions would have been payable in respect of him had he continued to be so employed after the commencement of the principal Act, employment in any part of Ireland before the first day of April, nineteen hundred and twenty-two, in respect of which a certificate was given under paragraph (b) or (c) of Part II. of the First Schedule to the National Insurance Act, 1911, shall be treated as if it had been employment in Northern Ireland.

(3) For the words "is a person who at the commencement of this Act was an insured or exempt person" where those words occur in the proviso to sub-section (7) of section fifteen and in the proviso to the Second Schedule to the principal Act there shall be substituted the words "is a person—

A.D. 1929.

- "(i) who retired before the date of the commencement of this Act and was an insured or exempt person on that date; or
- "(ii) who retired on or after the said date and was insured at the date of his retirement."

10.—(1) The following shall be substituted for paragraph (d) of section eighteen of the principal Act and for proviso (b) to sub-section (1) of section nineteen of that Act—

Amendment  
of ss. 18  
and 19 of  
principal  
Act.

"a widow's pension shall cease to be payable on the date on which the youngest child or the only child, as the case may be, attains the age of sixteen, or, in the case of a child who on the date when he attains the age of sixteen is under full time instruction in a day school, the date on which he ceased to be under such instruction, or the thirty-first day of July next following the date on which he attains the age of sixteen, whichever is the earlier :

Provided that if the youngest child or the only child dies before attaining the age of sixteen, the pension shall continue until the date on which the deceased child would have attained the age of sixteen, or until the expiration of six months from the date of the child's death, whichever period is the shorter without prejudice, however, in a case where the deceased child was not the only child to any further continuance of the pension to which the widow may be entitled in right of any older surviving child."

(2) This section shall be deemed to have had effect as from the commencement of the principal Act, but where by virtue of the provisions contained in the said paragraph (d) or the said proviso (b) as originally enacted a widow's pension has ceased before the commencement of this Act, the widow shall not be entitled to any

[Ch. 17.] *Widows', Orphans' and Old Age Contributory Pensions Act* [20 GEO. 5.]  
(Northern Ireland), 1929.

A.D. 1929.

payment on account of the pension in respect of the period between the date on which the pension so ceased and the commencement of this Act.

Disqualifications, &c

**11.**—(1) The provisions set out in the First Schedule to this Act shall have effect with respect to disqualifications for the receipt of pensions under the principal Act (including additional allowances under that Act), and pensions under the Old Age Pensions Acts (Northern Ireland), 1908 to 1927, and accordingly sub-section (2) of section twenty-one of the principal Act and the Third Schedule to that Act (which relate to disqualifications for the receipt of pensions under that Act), and sub-sections (1) and (2) of section three of the Old Age Pensions Act, 1908 (which relate to disqualifications for the receipt of pensions under the said Old Age Pensions Acts), as amended by any subsequent enactment, shall be repealed.

(2) In calculating the period of three months mentioned in paragraph (b) of section twenty-two of the principal Act, there shall be excluded any period during which, by virtue of the provisions of the First Schedule to this Act, no sum on account of the pension may be paid.

Administration of pensions in case of certain lunatics.

**12.**—(1) Regulations made under sub-section (1) of section thirty of the principal Act shall provide that any pension which a pauper lunatic to whom this section applies may be entitled to receive shall be paid to a county council, board of guardians, or other person to be administered—

- (a) in providing up to such amount as may be prescribed by the regulations, additional comforts for the lunatic ; and
- (b) for the benefit of such dependants of the lunatic as are not contributing to the expenses incurred by any poor law authority in respect of his support :

Provided that the regulations shall provide that, where the lunatic has no such dependants, such sum only as may be required for the purpose of providing additional comforts for him shall be paid to the council, board or person administering the pension.



(2) This section applies to any pauper lunatic who is detained in any asylum as such or is being maintained in any other place as such.

A.D. 1929.

(3) For the purposes of paragraph (b) of section twenty-two of the principal Act any sum accruing due on account of a pension which a pauper lunatic to whom this section applies is entitled to receive shall, notwithstanding his incapacity to give a receipt therefor, be regarded as becoming payable on the date on which it would have become payable if he had not been so incapacitated.

**13.—**(1) A widow shall not be entitled to a widow's pension under sub-section (1) of section one of this Act unless she was resident in Northern Ireland—

Residential qualification in case of certain pensions.

- (a) on the twenty-fifth day of July, nineteen hundred and twenty-nine; and
- (b) for a period of two years immediately before the date on which she would but for the provisions of this sub-section have become entitled to the pension.

(2) Section twenty-three of the principal Act (which makes provision with respect to residential qualification of persons in respect of whose insurance pensions are payable) shall have effect subject to the following amendments:—

- (a) in sub-section (1) the words from “immediately prior to that date” to “Northern Ireland” shall be omitted;
- (b) sub-section (2) shall cease to have effect.

**14.—**(1) Sub-section (1) of section twenty-four of the principal Act (which contains provisions against double pensions) shall have effect as if for the words “except where such a pension is payable in respect of the service of the pensioner's son during the late war” there were substituted the words “except where such a pension is payable in respect of the service of the pensioner's son or stepson during the late war.”

Amendment with respect to double pensions.

(2) For the words “in respect of whom an additional allowance is payable” in sub-section (2) of the said section twenty-four there shall be substituted the words “in respect of whom an additional allowance is claimable.”

A D. 1929.

(3) The following shall be substituted for sub-section (5) of the said section twenty-four :—

“(5) An old age pension shall not be payable to any woman so long as she is entitled to a widow’s pension.”

(4) Sub-section (2) of section seven of the principal Act shall have effect as if for the words from “unless” to the end thereof there were substituted the following words :—

“Provided that if the person entitled, being a woman, becomes entitled to a widow’s pension before attaining the age of seventy, the old age pension shall cease to be payable and shall not on her ceasing to be entitled to a widow’s pension again become payable unless she was entitled thereto in respect of her own insurance.”

Repeal of  
s. 25 of  
principal  
Act.

15. Section twenty-five of the principal Act (which makes provision with respect to cases where both an additional allowance or orphan’s pension and compensation under the enactments relating to workmen’s compensation are payable) shall cease to have effect, and any additional allowance or orphan’s pension which by virtue of the said section either has ceased to be payable, or has become payable only at a reduced rate, shall as from the commencement of this Act again become payable, or be payable at the full rate, as the case may be, but subject to the other provisions of the principal Act with respect to the cesser of, or the discontinuance of payments in respect of, such allowances and pensions.

Amendment  
of provisions  
applicable  
where a  
person  
entitled to  
pension  
receives out-  
door relief.

16.—(1) Where during any period, whether before or after the commencement of this Act, a poor law authority has granted outdoor relief to or on account of any person who, though entitled to a pension, is not at that time receiving payments on account thereof, and either—

- (a) that relief would not have been granted if that person had then been receiving payment on account of a pension ; or
- (b) that relief is in excess of the amount which would have been granted to that person if he had been receiving payment on account of a pension ;

the Ministry of Labour may, if any sum accruing in respect of any part of the period aforesaid on account of a pension becomes subsequently payable, treat the sum so payable as reduced for the purposes of the principal Act by an amount not exceeding such an amount as the authority certifies to have been so paid or so paid in excess, as the case may be, in respect of the period in respect of which the said sum accrued, and the said Ministry may pay to that authority the amount by which the said sum is treated as having been reduced as aforesaid.

A.D. 1929.

(2) This section shall extend to a case where any sum becomes subsequently payable on account of an additional allowance or orphan's pension payable in respect of a child on account of whom any such relief as aforesaid has been granted in like manner as to a case where a sum on account of a pension becomes subsequently payable to a person to or on account of whom such relief as aforesaid has been granted, and shall apply in such a case subject to the necessary modifications.

17.—(1) Sub-section (1) of section twenty-eight of the principal Act (which relates to the date of commencement of pensions, &c.) shall not apply in relation to any person becoming entitled to a pension on or after the second day of December, nineteen hundred and twenty-nine, and in the case of any such person the pension shall commence to accrue—

Amendment  
of s. 28 of  
principal  
Act.

- (a) if the claim is made within three months from the date on which the claimant becomes entitled to the pension, then on that date; and
- (b) if the claim is not made within three months from that date, then at the commencement of the period of three months immediately preceding the date on which the claim is made.

(2) The proviso to sub-section (4) of the said section twenty eight shall cease to have effect.

18.—(1) The Ministry of Labour may at any time and from time to time revise any award made or decision given by the said Ministry under the principal Act, if it appears to it that the award or decision was erroneous either in view of new facts which have been brought to

Provisions as  
to awards  
and decisions  
and deputy  
umpire

A.D. 1929; — the notice of the said Ministry since the date on which it was made or given, or by reason of some mistake having been made with respect to the facts or the law.

Provided that the provisions of this sub-section shall not apply—

- (a) to an award or decision relating to a matter which has been referred to the umpire under section twenty-nine of the principal Act ; or
- (b) if the time for making an application to have the matter to which the award or decision relates referred to the umpire has not expired ; or
- (c) to an award made by the said Ministry for the purpose of giving effect to a decision given by the umpire ;

unless in a case falling within paragraph (a) or paragraph (b) the person on whose application the reference was made, or who is entitled to apply to have the matter referred, as the case may be, consents.

(2) If in any case in which a decision has been given by the umpire with respect to a matter referred to him under the said section twenty-nine it appears to the Ministry of Labour that the umpire might properly be asked to reconsider the decision in view either of new facts which have been brought to the notice of the said Ministry since the date on which the decision was given or of any apparent inconsistency between the decision and any other decision subsequently given either by the court or by the umpire, the said Ministry may direct that the matter shall be referred to the umpire for reconsideration.

(3) A revised award made or revised decision given by the Ministry of Labour under this section shall take effect as follows—

- (a) where by virtue of the revised award or decision a pension will become payable to any person or a pension will be increased, it shall take effect—
  - (i) if made or given by reason of a new fact having been brought to the notice of the said Ministry, as from the date on which the application for revision was made ; and

A.D. 1929.

(ii) in any other case, as from the date on which the original award or the original decision took effect ;

(b) where by virtue of the revised award or decision a pension will cease to be payable or will be reduced, it shall take effect as from the date on which notice of the revised award or decision is given by the said Ministry to the person concerned.

(4) Where any decision is revised under this section by the umpire, the revised decision and any award made by the Ministry of Labour for the purpose of giving effect thereto shall have effect as from such date as the umpire may determine.

(5) The provisions of section twenty-nine of the principal Act with respect to references shall apply in relation to any revised award made or revised decision given by the Ministry of Labour under this section as they apply in relation to an original award or decision.

(6) The foregoing provisions of this section with respect to the date as from which a revised award or revised decision is to take effect shall not be construed as affecting the operation of sub-section (2) of section thirty-five of the principal Act (which relates to repayment in cases of fraud and in certain other cases).

(7) A deputy umpire may be appointed by the Governor of Northern Ireland for the purposes of section twenty-nine of the principal Act, and any reference in the principal Act or this Act to the umpire shall, unless the context otherwise requires, include a reference to such deputy umpire.

**19.** Sub-section (1) of section thirty of the principal Act shall have effect as if—

Amendment  
of s. 30 of  
principal  
Act.

- (1) the words “not exceeding six weeks” were omitted from paragraph (c) thereof ; and
- (2) in paragraph (e) thereof after the word “pension” there were inserted the words “or an old age pension” ; and
- (3) at the end thereof there were inserted the following new paragraphs :—

A.D 1929.  

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“(i) for providing that, notwithstanding anything in section twenty-two of this Act, but subject to the regulations—

(a) in the case of the death of a person who was in receipt of a pension, payment may be made of any sum which became payable within three months before the date of his death on account of the pension, but has not been paid; and

(b) in the case of the death of a person who, being entitled to a pension, had made a claim thereto, payment may be made of any sum which, if his claim had been allowed immediately before his death, would have become payable on account of the pension up to the date of his death; and

(c) in the case of the death of any person who was entitled to a pension but had made no claim thereto, payment may be made of any sum which, if a claim had been made immediately before his death, would have become payable on account of the pension up to the date of his death; and

(j) for providing that, subject to the regulations, probate or other proof of the title of the personal representatives of the deceased person may be dispensed with in the case of any such sum as is mentioned in the last preceding paragraph, and that any such sum may be paid or distributed to or among the persons appearing in manner provided by the regulations to be entitled to receive the said sum or any part thereof, either as being persons beneficially entitled thereto under any testamentary instrument or as next of kin, or as being creditors of the deceased person, or to or among any one or more of such persons exclusive of the others, or, in the case of any illegitimacy of the deceased person or any child of his, to or among such person or persons as may be directed by the regulations.”

**20.**—(1) Any person who knowingly obtains or receives any payment as on account of a pension which for any reason whatsoever is not payable to him shall, on summary conviction, be liable to the same penalty as that to which a person is liable under sub-section (1) of section thirty-five of the principal Act if he knowingly obtains payment of a pension which he is disqualified from receiving.

A.D. 1929.  
—  
Amendment  
of s. 35 of  
principal  
Act, and  
s. 96 of  
Insurance  
Act.

(2) A court of summary jurisdiction shall, in the case of a person convicted for an offence under sub-section (1) of section thirty-five of the principal Act or sub-section (1) of this section, or under sub-section (1) of section ninety-six of the Insurance Act, have the same power as a court of summary jurisdiction in England of imposing a fine not exceeding twenty-five pounds instead of imprisonment if the court is of opinion that the justice of the case would be better met by a fine than by imprisonment.

(3) Notwithstanding any enactment prescribing the time within which proceedings may be brought before a court of summary jurisdiction, proceedings for an offence under sub-section (1) of section thirty-five of the principal Act or sub-section (1) of this section, may be brought either within one year from the date of the commission of the alleged offence, or within three months from the date on which evidence sufficient in the opinion of the Ministry of Labour to justify a prosecution for the offence comes to its knowledge, whichever is the longer, and for the purposes of this provision a certificate purporting to be signed on behalf of the said Ministry as to the date on which such evidence as aforesaid came to its knowledge, shall be conclusive evidence thereof.

**21.**—(1) Any such person as is hereinafter mentioned that is to say—

Extension  
of classes of  
persons who  
may become  
voluntary  
contribu-  
tors.

- (a) any person who would at the commencement of the principal Act have been entitled to become a voluntary contributor by virtue of sub-section (1) of section thirteen of that Act if he had not been an insured person at that date ;  
or
- (b) any person employed in an excepted employment to which section fifteen of the principal

A.D. 1929.  
— —

Act applies, not being a married woman or a person in respect of whom no contributions are payable under that Act,

may, subject to the prescribed conditions, if he gives notice within the prescribed time and in the prescribed manner that he desires to become a voluntary contributor under the Insurance Act, become such a contributor.

(2) In calculating the period of one hundred and four weeks for which a person must have been employed within the meaning of the Insurance Act and insured as an employed contributor in order to be entitled to become a voluntary contributor under paragraph (a) of subsection (3) of section one of the Insurance Act, there shall—

- (a) in the case of a person who, being a man, was immediately before he became so insured an exempt person or entitled to sanatorium benefit by reason of having been an exempt person, be included the number of weeks for which contributions under the Insurance Act were paid in respect of him as an exempt person ;
- (b) in the case of a person who, within a period of twenty-one months before he became so insured was employed in an excepted employment to which section fifteen of the principal Act applies, be included the number of weeks for which contributions under that Act were paid in respect of him, or would have been payable in respect of him had that Act been in force during his employment in the excepted employment,

as if in either case such weeks had been weeks for which he was employed within the meaning of the Insurance Act and insured as an employed contributor.

Exclusion  
of widows'  
and  
orphans'  
pensions in  
assessment  
of damages.

22. In assessing damages in any action under the Fatal Accidents Acts, 1846 to 1908, whether commenced before or after the commencement of this Act, there shall not be taken into account any widows' pension, additional allowance or orphans' pension payable under the principal Act.



**23.** If it appears to the Ministry of Labour that any sums have been paid to any person by way of sickness or disablement benefit under the National Health Insurance Acts (Northern Ireland), 1924 to 1928, or unemployment benefit under the Unemployment Insurance Acts (Northern Ireland), 1920 to 1929, in respect of any period subsequent to the date on which an old age pension under the principal Act commenced to accrue to that person, the said Ministry may direct that the sums so paid shall be treated as advances made to that person on account of the old age pension, and may deduct an equivalent amount from any payments accruing on account of the old age pension in respect of the said period and may pay the amount so deducted to the funds of the claimant's approved society, or to the deposit contributors' fund, or to the Northern Irish unemployment fund, as the case may be.

**A.D. 1929.**

Provisions  
as to sick-  
ness or  
other benefit  
paid to  
person  
entitled to  
old age  
pension.

**24.** An adopted child within the meaning of the Adoption of Children Act, 1926, passed by the Parliament of the United Kingdom, or of any similar Act which may be passed by the Parliament of Northern Ireland, shall, if such child is adopted, whether before or after the commencement of this Act, either by two spouses jointly or by one of two spouses in the lifetime of the other, be treated for the purposes of the principal Act as being the child of those spouses and as not being the child of any other person :

Application  
of principal  
Act to  
adopted  
children.  
16 & 17 Geo. 5,  
c. 29.

Provided that this section shall not apply in the case of a child in respect of whom an additional allowance or orphan's pension was payable at the date of his adoption, or, if he was adopted before the date of the commencement of this Act, at that date.

**25.** If provision is made by regulations under the Insurance Act for the payment of contributions, at the option of the persons liable to pay, either by means of adhesive stamps or by some alternative method the use of which involves greater expenses in administration to the Ministry of Labour than would be incurred if the contributions were paid by means of adhesive stamps, a provision may be included in the regulations for requiring any person who adopts the alternative method to pay to the said Ministry such fees as may be determined by

Amendment  
of s. 8 of the  
Insurance  
Act.

A.D. 1929.

the said Ministry, with the concurrence of the Ministry of Finance, to represent the difference between the expenses incurred by the Ministry of Labour by reason of the fact that the alternative method has been adopted, and the expenses which would have been incurred by the said Ministry if the contributions payable by that person had been paid by means of adhesive stamps.

Short title,  
commence-  
ment, con-  
struction  
and repeal.

26.—(1) This Act may be cited as the Widows', Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1929, and shall be construed as one with the principal Act, and that Act and this Act may be cited together as the Widows', Orphans' and Old Age Contributory Pensions Acts (Northern Ireland), 1925 and 1929.

(2) This Act shall come into operation on the second day of January, nineteen hundred and thirty.

(3) Unless in any case the context otherwise requires, any reference in this Act to the principal Act or to any enactment contained in that Act shall be construed as a reference to that Act or to that enactment as amended by this Act, and any reference in this Act to the Insurance Act or to any enactment contained in that Act shall be construed as a reference to that Act or to that enactment as amended by any other Act, including this Act.

(4) References in this Act to enactments of the Parliament of the United Kingdom shall be construed as references to those enactments as they apply in Northern Ireland.

(5) The enactments set out in the Second Schedule to this Act shall be repealed to the extent specified in the third column of that Schedule.

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## SCHEDULES.

### FIRST SCHEDULE.

#### DISQUALIFICATIONS FOR RECEIPT OF PENSION.

1. Where during any period a person—

- (a) is an inmate of any workhouse or other poor law institution; or
- (b) is detained in prison in pursuance of an order made on his conviction for any offence and directing him to be imprisoned without the option of a fine, or to suffer any greater punishment; or

Sections 8  
and 11.

(c) is being maintained in any place as a pauper or criminal lunatic, or is detained in any lunatic asylum within the meaning of the Local Government (Ireland) Act, 1898 ;

A.D. 1929.

then, subject to the provisions of this Schedule, he shall be disqualified for receiving any sum accruing during that period on account of any pension which would otherwise be payable to him, and if before the commencement of that period any sum has accrued on account of a pension payable to him, that sum shall not be paid to him during the continuance of the said period :

Provided that paragraph (c) so far as it relates to maintenance in any place as a pauper lunatic or to detention in an asylum shall not apply to a person who is entitled to a pension under section three or section four or section seven of the principal Act, or who, having been so entitled, is entitled to an old age pension under the Old Age Pensions Acts (Northern Ireland), 1908 to 1925, by virtue of section forty of the principal Act, or to a person who is entitled to an old age pension under the said Old Age Pensions Acts by virtue of paragraph (d) or (e) of sub-section (1) of section twenty of the principal Act.

2. For the purposes of this Schedule a person who has become an inmate of any workhouse or other poor law institution for the purpose of obtaining medical or surgical treatment shall not be treated as being such an inmate so long as he continues to require such treatment, and, for the purposes of this Schedule as it applies to pensions under the principal Act, an additional allowance or an orphan's pension payable in respect of any child shall be treated as if it were a pension payable to that child, but save as aforesaid nothing in the provisions of this Schedule shall affect the right to payment of an additional allowance or orphan's pension in respect of a child.

## SECOND SCHEDULE.

### ENACTMENTS REPEALED.

Section 26.

| Session and Chapter.   | Short Title.                                                                         | Extent of Repeal.                                                                                                                                                                                                                                                                                                                                                    |
|------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8 Edw. 7. c. 40        | The Old Age Pensions Act, 1908.                                                      | Sub-sections (1) and (2) of section three.                                                                                                                                                                                                                                                                                                                           |
| 9 & 10 Geo. 5. c. 102. | The Old Age Pensions Act, 1919.                                                      | Sub-section (1) of section three.                                                                                                                                                                                                                                                                                                                                    |
| 15 & 16 Geo. 5. c. 23. | The Widows' Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1925. | Sub-section (2) of section twenty-one ; in sub-section (1) of section twenty-three the words from "immediately prior to that date" to "Northern Ireland"; sub-section (2) of section twenty - three ; sections twenty-five and twenty-six ; the proviso to sub-section (4) of section twenty-eight ; sub-section (3) of section twenty-nine, and the Third Schedule. |

A.D. 1929.

**CHAPTER 18.**

An Act to prolong further the time for the operation of section one of the Housing Act (Northern Ireland), 1927, and to amend certain enactments relating to Housing; and for other purposes connected therewith. [19th December, 1929.]

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Amendment  
of s. 1 of  
17 & 18 Geo.  
5, c. 15, as to  
grants in  
respect of  
construction  
of houses.  
18&19 Geo.5,  
c. 23.

1.—(1) Section one of the Housing Act (Northern Ireland), 1927, as amended by the Housing Act (Northern Ireland), 1928, shall have effect as if in sub-section (1) of that section for the words “first day of April, nineteen hundred and thirty” there were substituted the words “first day of April, nineteen hundred and thirty-one”: provided that in the application of the said sub-section (1) to houses completed on or after the sixth day of November, nineteen hundred and twenty-nine, a maximum of seven hundred superficial feet shall be substituted therein for a maximum of six hundred and fifty superficial feet.

13&14 Geo.5,  
c. 30.  
15&16 Geo.5,  
c. 13.

(2) A general resolution may be adopted by a local authority, rural district council or county council under and in pursuance of sub-section (9) of section one of the Housing Act (Northern Ireland), 1923, or section three of the Housing Act (Northern Ireland), 1925, and applied to houses in respect of whose construction the Ministry of Home Affairs has power to make grants by virtue of sub-section (1) of this section.

Prevention  
of evasion of  
requirements  
for building  
grant.

2.—(1) Where the Ministry of Home Affairs is satisfied that a house, in respect of whose construction the building grant would apart from this sub-section be payable, has been designed with the view of being, or is intended to be, upon completion—

(a) enlarged or altered in such a manner that it will cease to conform to the requirements as to type and dimensions for the time being in force for the purpose of the building grant, or

- (b) amalgamated with any other house or houses so that such houses will together form a single house,

A.D. 1929.  
—

then the said Ministry may refuse to pay a building grant in respect of the house, or may suspend payment of such building grant until any requirements of the said Ministry in relation to the house are complied with, and in the latter case a house shall not be deemed for the purpose of the building grant to be completed until the said requirements have been complied with.

(2) Where a building grant has been paid in respect of a house, and at any time within three years after the payment of the building grant the house is—

- (a) enlarged or altered in such a manner that it ceases to conform to the requirements as to type and dimensions for the time being in force for the purpose of the building grant, or  
(b) amalgamated with any other house or houses so that such houses together form a single house,

then, apart from any other remedy or proceeding, a sum equal to the amount paid as building grant may be recovered as a debt due to the Ministry of Home Affairs from the person to whom the grant was paid, or, in the case of his death, from his personal representative, or by means of a deduction from the building grant payable to the said person in respect of any other house, or as a debt due to the said Ministry from the owner of the house at the time when the house is enlarged, altered or amalgamated as aforesaid, or from the owner of the house at the time when proceedings are taken by the said Ministry to recover the amount of the said debt or to enforce a charge under the next following sub-section.

(3) Where a building grant has been paid in respect of a house, the house and premises shall be and remain charged in favour of the Ministry of Home Affairs with the amount of such building grant for a period of three years from the date of completion of the house, and the said charge shall, notwithstanding non-registration, be a first charge on the said house and premises, but on the expiration of the said period shall cease to affect the same.

The said Ministry, while owner of a charge under this sub-section, shall have all the powers of a mortgagee by deed within the meaning of the Conveyancing Acts,

A D. 1923  
—

1881 to 1911, for the purpose of enforcing such charge, and those powers shall include a power of sale and of ejectment.

(4) In a case where a building grant has been refused or suspended under sub-section (1) of this section any application to a local authority or council for housing facilities shall be similarly dealt with by such authority or council ; and money paid or allowed by way of housing facilities in respect of a house shall be a debt due to such local authority or council, and shall be a charge on the said house and premises in favour of such local authority or council, and such charge shall, notwithstanding non-registration, be a charge on the said house and premises subsequent in priority only to the charge mentioned in the last preceding sub-section.

Such local authority or council shall have the like remedies for the recovery of the said debt or charge against the several persons mentioned in the last preceding sub-section as the Ministry of Home Affairs has under the said sub-section.

(5) If, at any time within three years after the building grant has been paid in respect of a house, a notice, plan or description is laid before the local authority or rural district council, in pursuance of any bye-law made under section forty-one of the Public Health (Ireland) Act, 1878, or in pursuance of any similar enactment or bye-law, for the purpose of obtaining approval of any work to be executed for the alteration of the house—

- (a) the local authority or council shall before approving of such work furnish to the Ministry of Home Affairs particulars of the notice, plan or description laid before the authority or council ; and
- (b) the local authority or council shall have power to refuse to approve of such alteration on the ground that the house will, by reason of the carrying out of the proposed alteration, cease to conform to the requirements as to type and dimensions for the time being in force for the purpose of the building grant.

(6) Where any person, being an owner in fee of any lands, or of any lesser estate or interest therein, or being a lessee thereof, builds, causes or permits to be built thereon a house, then such person and every person or

41 & 42 Vict.,  
c. 52.

persons holding such estate or interest, or being lessee thereof, shall, for the purposes of this section, be deemed to be the owner thereof for the time being.

A.D. 1929.  
—

(7) This section shall apply in any case where the construction of a house is commenced, or a building grant is paid or becomes payable, after the sixth day of November, nineteen hundred and twenty-nine :

Provided always that this section shall not apply in the case where the measurements of the said house, if enlarged or altered, do not exceed seven hundred superficial feet after such enlargement or alteration.

3. Where an exemption from rates has been granted, whether before or after the passing of this Act, by a local authority or county council, under section three of the Housing Act (*Northern Ireland*), 1925, in respect of a house, and at any time during the period for which the exemption has been granted, the house is—

Cesser of rate  
exemption in  
certain cases

- (a) enlarged or altered in such a manner that it ceases to conform to the requirements as to type and dimensions for the time being in force for the purpose of the building grant, or
- (b) amalgamated with any other house or houses so that such houses together form a single house,

then the exemption from rates in respect of such house shall, as from the date of its enlargement, alterations or amalgamation as aforesaid, cease and be deemed to have ceased to apply to such house.

4. If the Ministry of Home Affairs is satisfied that in any particular area there is no urgent need for houses of the class in respect of which the building grant is payable, the said Ministry may, after consultation with the local authority or council within whose district such area is situate, by order declare that area (which shall be defined in the order) to be a restricted area for the purpose of the building grant, and so long as such order remains in force no building grant shall be made by the said Ministry, or housing facilities be afforded by a local authority or council, to any person or body of persons in respect of a house constructed in such restricted area, unless the said Ministry is satisfied that the house is required and intended for continuous, as distinct from occasional, occupation.

Restricted  
areas for  
purpose of  
payment of  
building  
grant.

A.D. 1929

Definition of  
"house"  
for purpose  
of building  
grant

5. It is hereby declared that for the purpose of the building grant the expression "house" does not include a separate and self-contained dwelling or flat which forms a part only of a house, or the house of which such dwelling or flat forms part.

Condition  
attached to  
loan.

6. Where a person or body of persons constructing a house exercises the option of taking a loan in lieu of a grant under the provisions of sub-section (9) of section one of the Housing Act (Northern Ireland), 1923, as applied or extended by subsequent enactments, the local authority may attach as a condition of the making of such loan that the person or body of persons receiving same shall—

- (a) executesuch mortgage of the house and premises for the purpose of securing the said loan, and
- (b) furnish and prove such title to the said house and premises,

as the local authority may require.

Provisions of  
62 & 63 Vict.,  
c. 44 to apply

7. The following provisions of the Small Dwellings Acquisition Act, 1899, as applied to Ireland by section fourteen thereof, that is to say:—

- (a) Section three (Conditions affecting house purchased by means of advance);
- (b) Section four (Provision as to personal liability and powers of proprietor);
- (c) Section five (Recovery of possession and disposal of house);
- (d) Section six (Procedure as to ordering sale);
- (e) Section seven (Suspension of condition as to residence); and
- (f) Section ten (Residence and ownership),

shall until the amount due to the local authority has been fully paid apply—

- (a) to a house sold or leased by a local authority pursuant to the provisions of the Housing Acts (Northern Ireland), 1890 to 1929, the price of which is agreed to be paid by instalments or the payment of part of the price of which is secured by mortgage of the premises, and
- (b) to a loan granted to the purchaser or lessee of such house by a local authority, pursuant to



the provisions of the said Acts, the payment of which is secured by a like mortgage, and

A.D. 1929.

(c) to such purchaser or lessee,

as if the house so sold or leased were a house acquired by means of an advance made by the local authority under the Small Dwellings Acquisition Acts (*Northern Ireland*), 1899 to 1923, and such instalments, part purchase price or loan were an advance under the said Acts, and the purchaser or lessee were the proprietor of such house :

Provided that compliance with the statutory condition requiring such purchaser or lessee to reside in the house may at any time be dispensed with by the local authority ;

Provided also that where a local authority are authorised under the provisions hereby applied to sell a house or to order the sale thereof they may instead of selling the entire interest therein, dispose of the said house by tender or public auction subject to the balance then outstanding of the instalments or of the loan secured by any such mortgage, and any sum obtained on such disposal after paying all arrears of instalments or loan then outstanding, and all costs, charges, and expenses properly incurred by the local authority in or about the sale of the house shall be refunded by the local authority to the purchaser or lessee ;

Provided also that nothing contained in this section shall affect or derogate from the powers or rights of the Ministry of Home Affairs under section two of this Act.

8.—(1) A person shall not, by reason only of the fact that he avails himself of any housing facilities afforded by a local authority or council, be disqualified from being elected as or being a member of the local authority or council by whom the housing facilities are afforded, or of any committee of such local authority or council.

Removal of  
disqualifica-  
tion in  
case of  
members and  
officers of  
local  
authorities  
accepting  
housing  
facilities and  
advances.  
10 & 11 Vict.,  
c. 16.

(2) Nothing in section sixty-seven of the Commissioners Clauses Act, 1847, or any enactment (whether general or local) which incorporates or applies or is similar to the said section, shall render, or be deemed at any time before the passing of this Act to have rendered any officer of a local authority to whom such enactment applies subject to any disqualification or any penalty for being concerned or interested in a bargain or contract made by such local authority, where the officer is so

A.D. 1929.

concerned or interested by reason only of availing himself of any housing facilities afforded by, or receiving an advance under the Small Dwellings Acquisition Acts (*Northern Ireland*), 1899 to 1923, from, such local authority or by reason of purchasing, leasing or renting from such local authority any dwelling-house erected by them under the provisions of the Housing Acts (*Northern Ireland*), 1890 to 1929, or in respect of which an advance has been made under the provisions of the Small Dwellings Acquisition Acts (*Northern Ireland*), 1899 to 1923.

Interpreta-  
tion and  
repeal.

9.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“Building grant” means the grant which may be made by the Ministry of Home Affairs under and subject to the provisions of section one of the Housing Act (*Northern Ireland*), 1923, as amended by subsequent enactments (including this Act), to any person or body of persons in respect of the construction of a house:

“Housing facilities” means a grant or loan under sub-section (9) of section one of the Housing Act (*Northern Ireland*), 1923, or an exemption from rates under section three of the Housing Act (*Northern Ireland*), 1925.

9 & 10 Geo. 5,  
c. 35.

9 & 10 Geo. 5,  
c. 99.

(2) Section sixteen of the Housing, Town Planning, &c. Act, 1919, and sub-section (5) of section fourteen of the Housing (Additional Powers) Act, 1919, by virtue of which the said section sixteen applies in *Northern Ireland*, are hereby repealed.

Short title  
and con-  
struction.

10. This Act may be cited as the Housing Act (*Northern Ireland*), 1929, and shall be construed as one with the Housing Act, (*Northern Ireland*), 1923, and the enactments amending that Act; and the Housing Acts (*Northern Ireland*), 1890 to 1928, and this Act may be cited together as the Housing Acts (*Northern Ireland*) 1890 to 1929.

**CHAPTER 19.**

A.D. 1929.

An Act to establish a Criminal Lunatic Asylum in Northern Ireland and to provide for the transfer and reception of criminal lunatics, and for purposes connected therewith.

[19th December, 1929].

**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

1. The part of the Londonderry Prison specified in the Schedule to this Act shall be the criminal lunatic asylum for Northern Ireland, and is in this Act referred to as "the criminal lunatic asylum, Northern Ireland."

Establishment of criminal lunatic asylum in Northern Ireland.

2. As from the passing of this Act any reference in any enactment to the central criminal lunatic asylum established in pursuance of the Central Criminal Lunatic Asylum (Ireland) Act, 1845, shall be construed, in its application to Northern Ireland, as a reference to the criminal lunatic asylum, Northern Ireland.

Construction of references to central criminal lunatic asylum established under 8 & 9 Vict., c. 107.

3. The Governor of Northern Ireland, in any case where he considers it expedient to do so, may order and direct that—

Transfer of criminal lunatics to criminal lunatic asylum, Northern Ireland.

(a) any criminal lunatic in custody, or who shall hereafter be in custody, in any district lunatic asylum or gaol in Northern Ireland shall be transferred to and received in the criminal lunatic asylum, Northern Ireland, and

(b) any criminal lunatic in custody in the central criminal lunatic asylum established in pursuance of the Central Criminal Lunatic Asylum (Ireland) Act, 1845, the cost of whose maintenance is at present defrayed out of moneys voted by the Parliament of Northern Ireland, shall be received in the criminal lunatic asylum, Northern Ireland, or in a district lunatic asylum,

and such criminal lunatics shall be kept therein in accordance with the provisions of the enactments relating to criminal lunatics in Northern Ireland.

A.D. 1929.

Transfer of  
criminal  
lunatics  
to district  
lunatic  
asylums.1 Edw. 7,  
c. 17.Appoint-  
ment and  
removal of  
officers of  
criminal  
lunatic  
asylum.Transfer of  
officers  
between  
criminal  
lunatic  
asylum and  
prisons.Rules for  
government  
of criminal  
lunatic  
asylum, and  
adaptation  
of enact-  
ments.Provisions as  
to super-  
annuation of  
officers.9 & 10 Geo.5,  
c. 67.

**4.** The Governor of Northern Ireland shall have power to order and direct that any criminal lunatic in custody in the criminal lunatic asylum, Northern Ireland, or in any district lunatic asylum or gaol in Northern Ireland, may be transferred to any district lunatic asylum in Northern Ireland, and kept therein in accordance with the provisions of the enactments relating to criminal lunatics in Northern Ireland, and the provisions of section three of the Lunacy (Ireland) Act, 1901, shall apply to any criminal lunatic so transferred.

**5.** The Minister of Home Affairs shall have power, with the approval of the Ministry of Finance as to number and salaries, to appoint such officers, including a governor and medical officer, for the criminal lunatic asylum, Northern Ireland, as he shall think fit and proper, and may remove the officers so appointed.

**6.** An officer of the criminal lunatic asylum, Northern Ireland, may be transferred to and employed in a prison in Northern Ireland, and an officer of a prison in Northern Ireland may be transferred to and employed in the said asylum :

Provided that no person being an officer of a prison at the date of the passing of this Act shall be transferred to the said asylum without his consent.

**7.** The Governor of Northern Ireland may by Order in the Privy Council of Northern Ireland—

- (a) from time to time make any rules which may appear to him to be necessary or proper for the good conduct and management of the criminal lunatic asylum, Northern Ireland, and
- (b) make such adaptations of any enactments relative to criminal lunatics as may appear to him to be necessary for carrying this Act into effect.

**8.—(1)** The provisions of the Superannuation Acts, 1834 to 1919, and of the Superannuation Acts (Northern Ireland), 1921 to 1925, shall apply to any officer employed in the criminal lunatic asylum, Northern Ireland, and being an officer of such class as may be prescribed under the Superannuation (Prison Officers) Act, 1919.

(2) Where an officer has been employed in a pensionable capacity in a district lunatic asylum, and has been appointed to be an officer of the criminal lunatic asylum, Northern Ireland, with the consent of the Ministry of Finance, and having been so appointed is an officer of a class prescribed under the Superannuation (Prison Officers) Act, 1919, the Ministry of Finance may, for the purposes of the Superannuation Acts mentioned in the last preceding sub-section, reckon the service of such officer whilst employed in a district lunatic asylum as if it had been service in the criminal lunatic asylum, Northern Ireland.

A.D. 1929.  
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9.—(1) In this Act and, as respects persons committed to a lunatic asylum after the passing of this Act, in the Lunacy (Ireland) Act, 1901, the expression “criminal lunatic” means—

Interpretation.

- (a) any person for whose safe custody during His Majesty’s or the said Governor’s pleasure His Majesty or the said Governor or the Admiralty is authorised to give order, and
- (b) any prisoner whom the said Governor or a Secretary of State or the Admiralty has, in pursuance of any Act, directed to be removed to an asylum or other place for the reception of insane persons :

Provided that a person shall cease to be a criminal lunatic if he is remitted to prison or absolutely discharged, or if any term of penal servitude or imprisonment to which he may be subject determines.

(2) References in this Act to enactments of the Parliament of the United Kingdom shall be construed as references to those enactments as they apply in Northern Ireland.

10. This Act may be cited as the Criminal Lunatics Act (*Northern Ireland*), 1929.

Short title

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## SCHEDULE.

Section I.

The ground floor tier of the main block of the Londonderry Prison and the three exercise yards adjacent thereto.

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A.D. 1929.

**CHAPTER 20.**

An Act to constitute the Ministry of Finance as a drainage authority for the purpose of the drainage of Lough Neagh and the River Bann, and to abolish certain drainage and navigation authorities; to empower the said Ministry to carry out and maintain works for the said purpose; to provide for the making of contributions and the maintenance of certain drainage works by county councils; to amend the Drainage Act (*Northern Ireland*), 1925; and for other purposes connected therewith. [19th December, 1929.]

18&19 Geo.5,  
c. 24.

**W**HEREAS the consent of the Board of Trade to this Act has been obtained in accordance with the provisions of sub-section (2) of section two of the *Northern Ireland (Miscellaneous Provisions) Act, 1928*, passed by the Parliament of the United Kingdom :

Be it therefore enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of *Northern Ireland* in this present Parliament assembled, and by the authority of the same, as follows :—

**PART I.****DRAINAGE OF LOUGH NEAGH AND THE RIVER BANN.**

Carrying out  
of drainage  
of Lough  
Neagh and  
River Bann  
by the  
Ministry of  
Finance,  
and transfer  
of powers.  
15&16 Geo.5,  
c. 24.

1.—(1) The Ministry of Finance (in this Act referred to as “the Ministry”) shall, subject to the provisions of this Act, be the drainage authority for reducing flooding on Lough Neagh and the River Bann, in accordance with the recommendations made by the Drainage Advisory Committee established under Part IV. of the *Drainage Act (Northern Ireland), 1925*, in the reports which are specified in the First Schedule to this Act; and the following provisions shall have effect as from such day or days as may be respectively appointed by the Ministry for the purpose of each such provision, namely :—

- (a) The Lough Neagh Drainage trustees and the Lower Bann Navigation trustees shall be abolished;

A D. 1929.  
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- (b) The powers and duties of the Lough Neagh Drainage trustees and the Lower Bann Navigation trustees shall be transferred to the Ministry and shall be exercised and performed by the Ministry except so far as is inconsistent with the provisions of this Part of this Act ;
- (c) The powers and duties of the Ministry of Commerce in relation to the Lower Bann Navigation shall be transferred to the Ministry, and, except so far as is inconsistent with the provisions of this Part of this Act, shall be exercised and performed by the Ministry in consultation with the Ministry of Commerce ;
- (d) The Ministry shall have power to regulate the discharge of water from Lough Neagh, the flow of the main channel of the Lower Bann river, and the discharge of water therefrom, including the power to discharge water into streams and into the navigation channels, cuts and canals which are specified in the Navigation Award ;
- (e) The Ministry may in the exercise of its powers under this Act interfere with any of the works mentioned in the Navigation Award or in the Drainage Award, and with the Lower Bann Navigation.

(2) The Ministry may, for the purpose of the exercise of its powers under this Part of this Act, or of giving effect to any provisions of this Part of this Act or scheme confirmed thereunder, by order amend any provision of the Navigation Award and the Drainage Award (including provisions relating to the Upper Bann river) ; and any such order shall have effect as if enacted in this Act, but may be varied or revoked by a subsequent order.

2.—(1) As from the day or days respectively appointed by the Ministry as aforesaid—

- (a) the purposes of the Lough Neagh Drainage trust shall be deemed to have ceased, and all lands, works and other property and assets held by the trustees for the said purposes shall vest in and be held by the Ministry as the drainage authority under this Part of this Act, and for the purposes and subject to the provisions thereof ;

Provisions  
as to Drain-  
age and  
Navigation  
trusts.

A.D. 1929  
---16 & 20 Vict.,  
c. 62.

- (b) the purposes of the Lower Bann Navigation trust shall be deemed to have ceased, so far as the same are inconsistent with the provisions of this Part of this Act and with the execution and maintenance of any scheme confirmed thereunder ;
- (c) the Lower Bann Navigation, as defined in the Drainage (Ireland) Act, 1856, together with all locks, weirs, works and rights thereto belonging, and all lands and other property and assets held by the trustees of the said Navigation for the purposes of their trust shall vest in and be held by the Ministry for the purposes, and subject to the provisions, of this Part of this Act ;
- (d) the liabilities of the said trustees in respect of the Lough Neagh Drainage trust and the Lower Bann Navigation trust, as at the respective days appointed as aforesaid, shall be transferred to and become liabilities of the Ministry ;
- (e) the liability of any county council under the provisions of the Drainage (Ireland) Act, 1856, to defray any part of the expenses of the Lower Bann Navigation shall cease as respects expenses incurred after the day appointed as aforesaid ;
- (f) any officer or servant of the Lough Neagh Drainage trustees or Lower Bann Navigation trustees who is not taken into employment by the Ministry shall be entitled to receive such reasonable compensation for loss of office as may be determined by the Ministry ;
- (g) a person injuriously affected by any interference with the Lower Bann Navigation under the foregoing provisions of this Act shall be entitled to compensation, to be assessed in like manner as the compensation payable under this Part of this Act to a person on account of compulsory interference with his rights by the operation of a scheme confirmed by the Ministry ;
- (h) Part III. of the Drainage Act (Northern Ireland), 1925, shall cease to apply to the Lough Neagh Drainage trustees.



(2) The Lough Neagh Drainage trustees and Lower Bann Navigation trustees shall forthwith, after the passing of this Act, prepare, and within such time as the Ministry may direct, submit to the Ministry a statement setting out in detail, in relation to their respective trusts, the property, assets and liabilities of the trustees.

A.D. 1929.  
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(3) The Ministry may if it thinks fit, on the application of the councils of the counties having liabilities under the Navigation Award in respect of the Upper Bann Navigation, by order make provision for the transfer of the business of the trustees of the said Navigation to a joint committee consisting of members of those councils. The Ministry shall cause a public inquiry to be held into any application made under this sub-section, and the provisions of the Third Schedule to the Drainage Act (*Northern Ireland*), 1925, shall apply to any such public inquiry.

3.—(1) The Ministry shall, as soon as may be after the passing of this Act, prepare a scheme (in this Part of this Act referred to as “the draft scheme”) for the carrying out of the works necessary to give effect to the said recommendations of the Drainage Advisory Committee, and all such other works subsidiary or incidental thereto as the Ministry may think necessary or desirable.

Preparation  
of draft  
scheme by  
the Ministry.

(2) The draft scheme shall show, either in the body thereof or by means of appropriate maps, drawings, plans, sections and schedules annexed thereto, the following matters :—

- (a) The rivers, streams and waters proposed to be dealt with ;
- (b) The works proposed to be executed ;
- (c) The lands and other properties proposed to be acquired, the easements, water rights and other rights proposed to be restricted, terminated or otherwise interfered with, and the public works, railways, navigations and fisheries proposed to be diverted, removed or otherwise interfered with or affected ; and
- (d) The owners or reputed owners, lessees and occupiers of the said lands, properties, easements, rights, public works, railways, navigations and fisheries.

A.D. 1929.

(3) Any person authorised by the Ministry shall for the purpose of the preparation of the draft scheme, be entitled at all reasonable times to enter upon any land or premises affected, or alleged or believed to be affected, by the flooding of Lough Neagh, the River Bann or its tributaries, and upon such other land or premises in the neighbourhood thereof as the Ministry may think necessary, and there to do such acts and things as may be reasonably necessary for the said purpose: Provided that the Ministry shall pay reasonable compensation for any injury caused by such entry or by doing as aforesaid.

Publication  
and notice of  
draft scheme.

4.—(1) When the draft scheme has been prepared, the Ministry shall—

- (a) publish by advertisement in the Belfast Gazette and one or more newspapers circulating in the localities concerned, a notice (in this section referred to as “the public notice”) stating that the draft scheme has been made, and naming convenient places where and times at which the draft scheme (with all maps and other documents annexed thereto), or a copy thereof, can be inspected;
- (b) serve on every owner or reputed owner, lessee and occupier of any land, right or other property proposed in the draft scheme to be compulsorily acquired or otherwise interfered with, a copy of the public notice, and also a notice informing him that the draft scheme proposes the compulsory acquisition of or interference or dealing with such land, right or other property (which interference or dealing, if any, and property shall be fully described in the notice);
- (c) serve on the local authorities charged with the maintenance of any public work proposed in the draft scheme to be diverted, removed or otherwise interfered with, a copy of the public notice, and also a notice informing such local authority of the diversion, removal or other interference so proposed;
- (d) serve on any person being the owner or lessee of any railway, fishery, or navigation proposed in the draft scheme to be diverted, removed or

otherwise interfered with, a copy of the public notice, and also a notice informing such person of the diversion, removal or other interference so proposed ; and

A.D. 1929.

- (e) send a copy of the draft scheme to the Board of Trade.

(2) Every notice served under this section on any person or local authority shall contain or be accompanied by a statement or notice requiring such person or local authority, if he or they have any objection to the draft scheme or to any map or other document annexed thereto, to communicate such objection to the Ministry in the manner and within the time (not being less than one month) specified in such statement or notice.

(3) At the expiration of the time limited as aforesaid for the communication to the Ministry of objections to the draft scheme—

- (a) if there are no such objections or all such objections are withdrawn, the draft scheme may be confirmed as hereinafter in this Act provided ;
- (b) if there are any such objections which are not withdrawn, the Ministry shall cause a public inquiry into such objections to be held.

5.—(1) If it becomes necessary under the foregoing provisions of this Act to hold a public inquiry in respect of objections to the draft scheme, such inquiry shall be held by a person or persons (in this section referred to as “the Inspector”) appointed for the purpose by the Ministry, and at such time and place as the Ministry may direct. Public notice of the holding of such inquiry shall be given in such manner as the Ministry may think proper, and the Ministry shall send, by prepaid post, special notice of the holding of the inquiry to the persons or local authorities who have made the objections in respect of which the inquiry is held.

*Inquiry in  
respect of  
objections to  
draft scheme.*

(2) The following persons and local authorities shall be entitled to appear and be heard (in person or by solicitor or counsel) and adduce evidence at the inquiry :—

- (a) The several persons and local authorities who have made the objections in respect of which the inquiry is held ; and

A.D. 1929.

(b) Any other person or local authority interested in the draft scheme whom the Inspector thinks fit to hear.

(3) The Inspector shall at the conclusion of the inquiry report thereon to the Ministry.

(4) The provisions of articles 8 and 9 of the Third Schedule to the Drainage Act (*Northern Ireland*), 1925, shall apply to any public inquiry under this section.

Confirmation  
of draft  
scheme by  
the Ministry.

6.—(1) The Ministry, after the time limited for the making of objections to the draft scheme, and after considering the report on any public inquiry which has been held as aforesaid, may by order confirm the draft scheme, either without alteration or with such alterations (whether by way of variation, addition, or omission) as the Ministry thinks proper to make therein. The draft scheme, as so confirmed, is in this Part of this Act referred to as “the scheme.”

The scheme, when confirmed, shall become final and have effect as if enacted in this Act; and the confirmation of the scheme shall be conclusive evidence that the requirements of this Act have been complied with and that the scheme has been duly made and is within the powers of this Act.

(2) After confirmation of the scheme, the Ministry shall—

- (a) serve on every owner or reputed owner, lessee and occupier of any land, right or other property proposed in the scheme to be compulsorily acquired or otherwise interfered with, a notice informing him of the confirmation of the scheme and describing the effect of the scheme in relation to the said land, right or other property;
- (b) serve on every local authority charged with the maintenance of any public work proposed in the scheme to be diverted, removed or otherwise interfered with a notice informing such local authority of the confirmation of the scheme, and describing the effect of the scheme in relation to the said public work;
- (c) serve on every person being the owner or lessee of a railway, fishery or navigation proposed in the scheme to be diverted, removed or other-

wise interfered with a notice informing such person of the confirmation of the scheme and describing the effect of the scheme in relation to the said railway, fishery, or navigation ;

A.D. 1929

- (d) send a copy of the scheme to the Board of Trade.

(3) Every notice under this section shall be served not less than one month before the Ministry proceeds to acquire or divert, remove or otherwise interfere with the property to which such notice relates.

7. If an order is made confirming the draft scheme, such order shall operate to confer on the Ministry power—

Carrying out  
of the  
scheme by  
the Ministry.

- (a) to construct, execute and complete the works specified in the scheme with such reasonable additions, omissions, variations and deviations as shall in the course of executing the works be found to be necessary ;
- (b) to enter on any lands or premises and there do all such acts and things as shall be reasonably necessary for or incidental to the construction, execution and completion of the said works with such additions, omissions, variations and deviations as aforesaid : Provided that the Ministry shall pay reasonable compensation for any injury caused by such entry or by doing as aforesaid ;
- (c) to purchase by agreement or compulsorily or take on lease any land, buildings, water-mill, dam, weir, or water or any interests in land or water or easement or right in, to or over land or water, proposed in the scheme to be acquired (which land and other properties are hereinafter in this Part of this Act included in the expression "land") ;
- (d) if the Ministry thinks fit so to do, to enter on any such land or exercise any of such easements or rights at any time after one month from the service on the owner or reputed owner, lessee and occupier of such land, easement, or right of the notice required to be served on such persons by the Ministry after the confirmation of the scheme, and notwithstanding that the conveyance of such land,

A.D. 1929

easement or right has not been executed, or the price thereof or compensation therefor ascertained at the time of such entry or exercise ;

- (e) to restrict, terminate or otherwise interfere with any easements or rights proposed in the scheme to be restricted, terminated or otherwise interfered with, and to divert, remove or otherwise interfere with any railway, navigation, fishery, or public work proposed in the scheme to be diverted, removed or otherwise interfered with, and, if the Ministry so thinks fit, to do any of the things aforesaid at any time after one month from the service on the owner or reputed owner of such easements or rights, or on the person being the owner or lessee of such railway, navigation or fishery, or on the local authority charged with the maintenance of such public work (as the case may be) of the notice required to be served on such person or local authority by the Ministry after the confirmation of the scheme, and notwithstanding, in any case, that no conveyance has been executed or compensation ascertained or paid ;
- (f) to reconstruct any works interfered with under the powers of the scheme, or construct new works in lieu thereof either in the same or in some different place or position ; and
- (g) to do such acts and things as may be, in the opinion of the Ministry, necessary or proper for or reasonably incidental to—
  - (i) the proper carrying out of the scheme, or
  - (ii) the protection of rights or interests affected by the scheme.

Acquisition  
of land and  
disposal of  
surplus land.

8.—(1) As soon as may be after an order has been made confirming the draft scheme, the Ministry shall proceed to acquire the land proposed in the scheme to be acquired, and for that purpose the Lands Clauses Acts shall apply, subject to the provisions of this Part of this Act, and, in particular, subject to the modifications set forth in the Second Schedule to this Act ; and for the purposes of such application the Ministry shall be deemed to be the promoters of the undertaking.

A.D. 1929.  

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(2) If, at any time after an order has been made confirming the draft scheme, it appears to the Ministry that any land, in addition to the land acquired or to be acquired under the scheme, is necessary for the purposes thereof, the Ministry may prepare a draft supplemental scheme for the acquisition of such additional land, and shall publish and serve notices, send copies, receive objections, and hold an inquiry in respect of such draft supplemental scheme in the same manner as is provided by this Part of this Act in the case of the scheme; and a draft supplemental scheme may be confirmed in like manner as the scheme, and (if the same is confirmed) notice thereof shall be published and served and copies sent, as in the case of the scheme, and the order confirming a draft supplemental scheme shall have the like effect as the order confirming the draft scheme, and the provisions of this Part of this Act shall apply accordingly.

(3) Any land acquired for the purposes of the scheme and determined by the Ministry to be unnecessary and not required for the purposes of the scheme, or the proper maintenance of the works constructed thereunder, or otherwise for the purposes of this Part of this Act, shall be sold or disposed of by the Ministry for the benefit of the Exchequer of Northern Ireland in such manner as the Ministry may direct.

9.—(1) The compensation to be paid for any land acquired compulsorily under the scheme shall, in default of agreement, be assessed under and in accordance with the Acquisition of Land (Assessment of Compensation) Act, 1919, by an arbitrator to be chosen by the Reference Committee under that Act from the panel of official arbitrators.

Mode of  
fixing  
amount of  
compensation.  
9 & 10 Geo 5  
c. 57.

(2) The amount of the compensation payable—

- (a) to any person on account of the compulsory restriction or termination of, or other interference with, any easement or right; or
- (b) to any local authority charged with the maintenance of any public work, on account of the diversion or removal of, or other interference with, such public work under or in pursuance of the scheme; or

A.D. 1929.

- (c) to any person being the owner or lessee of a railway, fishery or navigation, on account of the diversion or removal of, or other interference with, such railway, fishery or navigation under or in pursuance of the scheme ;

shall, in default of agreement, be assessed under and in accordance with the Acquisition of Land (Assessment of Compensation) Act, 1919, in like manner as if such compensation were the price of land compulsorily acquired :

Provided that the arbitrator for the purpose of assessing the amount of any compensation under this sub-section shall be such person as may be agreed upon between the Ministry and the person or local authority concerned, or, in default of agreement, as may be appointed by the Lord Chief Justice of Northern Ireland.

(3) When compensation is being assessed in pursuance of this section in respect of any land or property, regard shall be had to any benefit to other land or property owned or occupied by the person claiming such compensation resulting, or which may reasonably be expected to result, from the execution of any works under the scheme.

(4) When compensation is being assessed in pursuance of this section, regard shall be had to anything required or agreed to be done by the Ministry under any special provision of this Part of this Act for the protection of the rights or interests of the person claiming compensation.

(5) No action shall lie at law or in equity against the Ministry or any of its officers or servants in respect of any act, matter or thing in respect of which compensation is payable, or protection is provided, by virtue of this Part of this Act.

Protection  
of fisheries.

10.—(1) Where the Ministry is authorised by the scheme to carry out any work which involves the construction, alteration, remodelling or removal of any dam, weir or other works in the bed of any river, or affects in any way the flow of water over or through any such works, the Ministry shall provide, by all or any of the means specified in this sub-section, such protection for any fisheries which may be affected by the carrying out of the work or operations incidental thereto as may be agreed upon between the Ministry and



the owners of such fisheries, or in default of agreement as may be determined by an arbitrator to be agreed upon by the parties, or, in default of such agreement, to be appointed by the Lord Chief Justice of Northern Ireland, that is to say :—

A.D. 1929.  
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- (a) by means of the construction and maintenance in any river of fish passes, fish ladders and eel and elver passes for the free and uninterrupted passage of fish and eels both up and down such river ;
- (b) by means of the provision of any hatchery, pool or weir in substitution for or in addition to an existing hatchery, pool or weir affected by the proposed works ;
- (c) by means of defraying the reasonable expense which may be incurred by the owner or lessee of any such fishery in employing extra watchmen to prevent poaching in such fishery during the carrying out of the proposed works.

(2) The Ministry may pay such sum as may be agreed upon to defray the expenses which may be incurred by the owner or lessees of any fishery in providing any protection for such fishery which the Ministry may be required to make under sub-section (1) of this section.

(3) In lieu of proceeding under the foregoing provisions of this section, the Ministry and the owner of any fishery to which the said provisions are applicable may enter into and carry into effect an agreement for the purchase or taking on lease by the Ministry of such fishery, or any fishing rights therein, at such price or rent as may in default of agreement be determined by an arbitrator to be agreed upon or appointed in like manner as for the purposes of sub-section (1) of this section.

(4) An arbitrator agreed upon or appointed under this section shall have power to award costs, and the expenses of the arbitration shall be defrayed as the arbitrator may direct. The award of the arbitrator may be made a rule of court on the application of either party under and in accordance with the Common Law Procedure Amendment Act (Ireland), 1856.

19 & 20 Vict.,  
c. 102.

(5) If, under the authority of the scheme, the Ministry widens or diverts any part of the river Bann, of which the bed and soil is vested in the owner or owners

A.D. 1929.

of a several fishery in the said river, the bed and soil of the river, as so widened or diverted, shall vest by virtue of this Act in the said owner or owners, in like manner and for the same purposes as the bed and soil first-mentioned was vested in the said owner or owners.

Compensation for depreciation of certain properties.

11. If at any time the owner or lessee of any several fishery in the river Bann or a navigation company, claims that any work carried out under the scheme or anything done by the Ministry in the exercise of its powers under this Part of this Act has caused or is causing a depreciation in the value of such fishery, or of a navigation belonging to the said company (as the case may be), and that compensation in respect of such depreciation cannot be assessed and paid under any other provision of this Part of this Act, the Ministry shall pay such compensation for depreciation (whether by way of a lump sum or of periodical payments) as may be agreed upon from time to time between the Ministry and the said owner, lessee or company, or in default of agreement as may be determined by an arbitrator to be agreed upon by the parties, or in default of such agreement, to be appointed by the Lord Chief Justice of Northern Ireland.

An arbitrator agreed upon or appointed under this section shall have power to award costs, and the expenses of the arbitration shall be defrayed as the arbitrator may direct. The award of the arbitrator may be made a rule of court on the application of either party under and in accordance with the Common Law Procedure Amendment Act (Ireland), 1856.

Maintenance of works by the Ministry, etc.

12.—(1) The Ministry shall maintain and repair the works executed under the scheme, or otherwise vested in the Ministry as the drainage authority under this Part of this Act, but subject to the provisions thereof as to schemes for subsidiary drainage by county councils.

(2) The Ministry shall by order—

- (a) certify the date to be taken for the purposes of this Part of this Act as the date of the completion of the works to be executed under the scheme;
- (b) define the area to be taken for those purposes as the Bann catchment area.

**13.** There shall be paid out of moneys provided by Parliament—

**A.D. 1929.**

Payments  
out of  
moneys  
provided by  
Parliament.

- (a) two-thirds of the expenses of the Ministry, up to an amount of six hundred thousand pounds, of and incidental to the construction of the works and acquisition of land and other property necessary for carrying out the scheme, the protection of property or rights affected thereby, and the payment of compensation under any provision of this Part of this Act (which expenses are in the said Part referred to as “the expenses of the scheme”);
- (b) the full amount of such part of the expenses of the scheme as may exceed six hundred thousand pounds;
- (c) the expenses of the Ministry of and incidental to the maintenance and control of the drainage and navigation of the Lower Bann river, and the works constructed by or vested in the Ministry under this Part of this Act;
- (d) the interest payable to the Government Loans Fund on such sums as may be issued thereout under this Part of this Act by way of advances in respect of the contributions of county councils towards the expenses of the scheme, and being interest in respect of the period from the date of issue to the date (as certified under this Act) of the completion of the works to be executed under the scheme.

**14.—(1)** The county councils named in the Third Schedule to this Act shall contribute in the proportions specified in that Schedule such sum as may be certified by the Ministry to be equal to one-third of the expenses of the scheme, or a sum of two hundred thousand pounds, whichever may be the lesser; and the Ministry shall certify, as respects each such county council, the amount of the contribution to be paid by that council.

Payments by  
county;  
councils.

**(2)** The contribution to be paid by a county council shall be raised by means of the poor rate, and shall be raised by the county council, or by the urban district council upon the demand of the county council, as the case may require, off such part of the county, including urban districts, as is comprised within the Bann catchment area.

A.D. 1929

(3) The total amount advanced under the next following section of this Act out of the Government Loans Fund in respect of the contribution of each county council shall be deemed to be a local loan to and repayable by the county council concerned, and shall by virtue of this Act be charged, together with the interest payable under this sub-section, upon the county fund of that council and shall, within a period not exceeding sixty years from the date (as certified under this Act) of the completion of the works to be executed under the scheme, be paid to the Ministry by equal half-yearly instalments of principal and interest combined, or by such other method as the Ministry, on the application of the council concerned, may approve: Provided that no sum shall be payable as interest on any advance in respect of the period from the date of issue of the advance to the date of completion hereinbefore mentioned.

20 Geo. 5,  
c. 10.

(4) The exemption and relief from rates which are conferred by sections one and two of the Local Government (Rating and Finance) Act (Northern Ireland), 1929, shall not apply to any item of poor rate raised to meet a charge under this section.

Advances  
out of  
Government  
Loans Fund  
in respect  
of county  
councils'  
contributions

15. There shall be issued to the Ministry by way of advances out of the Government Loans Fund, at such time or times as the Ministry may determine, such sums as are equal to the contributions payable by county councils under this Part of this Act towards the expenses of the scheme. The said advances shall be repaid to the Government Loans Fund within a period not exceeding sixty years from the date (as certified under this Act) of the completion of the works to be executed under the scheme.

Duties of  
county  
councils  
as to sub-  
sidiary  
drainage,

16.—(1) It shall be the duty of the council of a county, any part of which is comprised within the District of Lough Neagh as defined in the Drainage Award, to maintain the drainage of the said part of that District, so far as such drainage takes place through rivers and streams tributary to the main channel of the Lower Bann river and through other subsidiary channels in their county (in this section referred to as "subsidiary drainage") in accordance with a scheme framed under the following provisions of this section.

(2) The Ministry shall frame, in consultation with the Ministry of Home Affairs and the Drainage Advisory Committee, a scheme for the transfer to and maintenance by each such county council as aforesaid of the subsidiary drainage in their county, or for the transfer to, and maintenance by a joint committee of, two or more county councils of the subsidiary drainage in their counties; and a scheme so framed shall come into operation from such date as the Ministry may fix.

A.D. 1929.  

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(3) A scheme for subsidiary drainage under this section shall contain such provisions as may be necessary or expedient in relation to any of the matters specified in sub-section (3) of section sixteen of the Drainage Act (*Northern Ireland*), 1925, and shall have effect and be carried out by the county council or councils concerned as if it were a major scheme confirmed by the Ministry of Home Affairs under Part I. of the Second Schedule to the Drainage Act (*Northern Ireland*), 1925, and the scheme may make such amendments of the Drainage Award as may be necessary to provide for the transfer of any drainage works (exclusive of the main channel of the Lower Bann river) mentioned in that Award to a county council or councils to be maintained by them for the purposes of subsidiary drainage.

17.—(1) The Ministry may make bye-laws for securing the proper maintenance and efficient operation of any works constructed or in process of construction or maintainable by the Ministry under this Part of this Act, and for regulating the opening of locks, sluices and flood-gates in connection with such works.

Bye laws of  
the Ministry.

(2) Not less than one month before making any bye-law under this section, the Ministry shall deposit a draft copy of the proposed bye-law at such places as the Ministry thinks fit, and shall publish in such manner as it thinks fit a notice of the deposit and of the intention to make the proposed bye-law.

(3) The Ministry may by any bye-laws made under this section impose on offenders against the same such reasonable penalties as the Ministry thinks fit, not exceeding the sum of five pounds for each offence, and in the case of a continuing offence a further penalty not exceeding two pounds for each day after written notice of the offence from the Ministry.

A.D. 1929.  
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(4) Every penalty recoverable under the provisions of any such bye-law shall be recovered on summary conviction in manner provided by the Summary Jurisdiction (Ireland) Acts.

Offences and  
penalties.

18.—(1) Every person who—

- (a) wilfully obstructs any officer or servant of the Ministry in the exercise of any powers or the performance of any duties of the Ministry under this Part of this Act, or any person engaged in the construction of any works in pursuance thereof ; or
- (b) pulls down, removes or injures any works in course of construction or constructed in pursuance of this Part of this Act ; or
- (c) removes, injures or defaces any pegs, poles or marks placed or made by any authorised person for the purpose of, or in connection with, the construction of any works as aforesaid ; or
- (d) places any solid matter in, or causes or permits any solid matter to fall or pass into, any river, stream or other watercourse in respect of which any works are about to be or are in course of being constructed by the Ministry as aforesaid so as to cause any obstruction, hindrance or delay to such construction ; or
- (e) places or erects any dam, weir or other obstruction in any such watercourse without the consent of the Ministry ; or
- (f) obstructs the flow of water to, through or from any works constructed as aforesaid in such manner as to prevent or hinder the efficient operation thereof, or to cause flooding of such works or any lands drained thereby;

shall be guilty of an offence under this section.

(2) Any person guilty of an offence under this section shall be liable on summary conviction thereof to a fine not exceeding fifty pounds, or at the discretion of the court to imprisonment for any term not exceeding six months or to both such fine and imprisonment, and shall also, in the case of a continuing offence, be liable to a fine (in addition to any such fine as aforesaid) not

exceeding five pounds for every day during which the offence continues. A.D. 1929.

(3) A person aggrieved by any conviction or order made by a court of summary jurisdiction on determining any information or complaint under this Part of this Act, or under any bye-law made thereunder, may appeal against the conviction or order in manner provided by the Summary Jurisdiction (Ireland) Acts.

**19.**—(1) Every notice to be served under this Part of this Act may be served— Provisions  
as to notices.

- (a) by delivering it to the person on whom it is to be served, or if such person is absent abroad or cannot be found, to his agent, or if no agent can be found, by leaving the same on the premises ; or
- (b) by leaving it at the usual or last known place of abode of such person or his agent ; or
- (c) by sending it by post as a registered letter addressed to the usual or last known place of abode of such person or his agent ; or
- (d) in the case of a notice to be served upon a local authority, company or other body of persons, by delivering the notice to their clerk or secretary or leaving it at his office with some person employed there, or by sending it by post as a registered letter addressed to such clerk or secretary.

(2) If the owner, lessee or occupier of, or other person entitled to, any land, right or property cannot reasonably be ascertained, the notice to such person may be addressed, as the case may require, to the “owner,” “lessee” or “occupier” of, or to the “person entitled” to, the land, right or property (describing it) without further name or description, and may be served by fixing it on some conspicuous part of the land or place of situation of the right or property.

## PART II.

### AMENDMENT OF THE DRAINAGE ACT (NORTHERN IRELAND), 1925, ETC.

**20.**—(1) Section one of the Drainage Act (Northern Ireland), 1925 (in this Part of this Act referred to as “the Act of 1925”) shall have effect as if the following sub-section were substituted for sub-section (3) thereof :—

Procedure in  
connection  
with county  
councils’  
drainage  
schemes.

A.D. 1929.  

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“(3) Where the county surveyor, or other duly authorised officer of the county council, certifies that the probable cost of a scheme for undertaking drainage works will amount to a sum less than two thousand pounds, and the scheme will not involve the compulsory acquisition of land, the scheme may be carried out by the county council upon being confirmed by them. A scheme to which this sub-section applies is in this Act referred to as a “minor scheme,” and a minor scheme shall specify such matters and contain such provisions as are authorised by, or may be prescribed under, this Act.

The following provisions shall have effect in relation to the confirmation of minor schemes:—

- “(a) Notice of the scheme and of the time (not being less than twenty-one days) within which objections to the scheme must be sent to the county council shall be given to such persons and in such manner as may be prescribed ;
- (b) On the expiration of the time limited for sending objections, the county council, after considering any objections that may have been duly sent to them, may make an order confirming the scheme with or without modifications, or may reject the scheme :

Provided that if more than one-half in number of the occupiers of lands proposed to be drained or improved by drainage under the scheme, or the occupiers of more than one-half according to rateable value of such lands, object thereto, the scheme shall not be confirmed, without prejudice, however, to the preparation and confirmation of a major scheme under this Act ;

- (c) The scheme shall not take effect unless and until it is confirmed by the county council, but when so confirmed shall become final, and have effect as if enacted in this Act ; and the confirmation by the county council shall be conclusive evidence that the requirements of this Act have



been complied with, and that the scheme has been duly made and is within the powers of this Act."

A.D. 1929.

(2) The county council shall pay reasonable compensation for any injury done in pursuance of a minor scheme confirmed by them, and if any question arises whether compensation is payable under this provision, or as to the amount of any compensation so payable, the question shall be decided by the county court having jurisdiction for the place where the question has arisen, and a county court shall have jurisdiction to deal with any such question, notwithstanding that, by reason of the amount of claim or otherwise, the case would not but for this provision be within the jurisdiction of a county court.

(3) Sub-sections (1) and (2) of section two of the Act of 1925 shall extend so as to authorise the acquisition by a county council of land, and the other properties mentioned in the said sub-section (1), for the purpose of carrying out a minor scheme.

(4) The following section shall be substituted for section four of the Act of 1925 :—

"4. The expenses of carrying out and maintaining any drainage works undertaken in pursuance of a minor scheme shall be raised by the county council by means of a poundage rate (to be called the "drainage rate") made for each local financial year on the several occupiers of the lands to be drained or improved by drainage, and assessed according to the rateable value of the said lands, or (where the said lands are not separately valued) according to such apportioned part of the rateable valuation of the hereditament which includes the said lands as the Commissioner of Valuation may attribute to the said lands. Sub-sections (3) and (4) of section five of this Act shall apply to minor schemes in like manner as they apply to major schemes."

(5) In relation to a minor scheme, the county council shall be substituted for the Ministry of Home Affairs for the purposes of sections twenty-four and twenty-five of the Act of 1925.

Amendment  
as to  
expenses of  
preparation  
and confirm-  
ation of  
schemes.

21. The expenses incurred by the county council in connection with the preparation and confirmation of a scheme under Part I. of the Act of 1925 shall, if the

A.D. 1929.  
—

scheme is confirmed and carried out, be raised by means of the drainage rate to be made under section four or sub-section (2) of section five of the Act of 1925, and not by means of the poor rate ; and sub-section (1) of section three of the Act of 1925 shall have effect subject to the provisions of this section.

The power  
of county  
councils to  
execute  
work.

**22.** The following section shall be substituted for section twelve of the Act of 1925 :—

- “(1) The county council may serve a notice in writing upon any person who appears to be liable by prescription or otherwise to scour out or cleanse any watercourse on, or running through, any agricultural lands, requiring him to scour out and cleanse such watercourse within the time specified in the notice which shall be not less than one month.
- (2) A person on whom a notice is served in pursuance of this section shall, unless he appeals to the county court against such notice under sub-section (3) of this section, be liable to scour out and cleanse the watercourse, and, if he fails or neglects to do so within the time specified in the notice, the county council may take all such steps and execute all such works as are necessary for causing the watercourse to be scoured out and cleansed in a proper manner, and such works may include such widening of the watercourse as may be reasonably necessary and the deposit of spoil on the lands of the said person. The whole or any part of the expenses incurred by the county council in executing such works shall, if they so determine, be a debt due to the county council by the said person, and be recoverable from him in a summary manner.
- (3) Any person who deems himself aggrieved by the service upon him of a notice, or by anything done by a county council, under this section, may appeal to the county court under section twenty-six of this Act.
- (4) A notice for the purposes of this section shall be in such form as may be prescribed by the Ministry of Home Affairs, and shall specify

the right of appeal given by the last preceding sub-section.

A.D. 1929.

- (5) Any expenses incurred by the county council under this section shall be defrayed in the first instance out of the county fund, and shall, so far as not recovered by the county council, be raised by means of the poor rate either as a county-at-large charge or district charge, or off some area less than a county district, according as the Ministry of Home Affairs may determine."

**23.**—(1) Section twenty-six of the Act of 1925 shall be amended as follows:—

Amendment  
of s. 26 of  
15&16 Geo.5,  
c. 24.

For the words "or by a decision of a county council or of the Ministry of Home Affairs under Part I. of this Act upon the question of his liability to scour out or cleanse a watercourse" there shall be substituted the words "or by the service upon him of a notice, or by anything done by a county council, under section twelve of this Act."

(2) The provisions of section two hundred and sixty-nine of the Public Health (Ireland) Act, 1878, which are applied for the purposes of section twenty-six of the Act of 1925, shall have, and be deemed always to have had effect as if reference to the county court were substituted in the said provisions (as so applied) for references to a court of quarter sessions.

41 & 42 Vict.,  
c. 52.

**24.** Nothing in this Act shall affect any proceedings taken by way of appeal under sections twelve and twenty-six of the Act of 1925, and pending at the thirteenth day of November, nineteen hundred and twenty-nine.

Saving for  
proceedings  
on appeals  
under ss. 12  
and 26 of  
15&16 Geo.5,  
c. 24.

**25.** Where, in pursuance of sub-section (2) of section twenty-seven of the Northern Ireland Land Act, 1925, a scheme is framed for the application of any sums in or towards the cleansing or maintenance of a water course, drain or embankment, the county council of the county within which the water course, drain or embankment is situate may, if such scheme so provides, be appointed and act (with their consent) as the trustees for the purpose of executing such scheme.

Power of  
county  
council to  
act as  
trustees of  
scheme  
under s. 27  
of 15 & 16  
Geo. 5, c. 34.

A.D. 1929.

## PART III.

## SUPPLEMENTAL.

Saving for  
powers of  
Board of  
Trade, and  
as respects  
Crown  
foreshore.

18 & 19  
Geo. 5, c. 24.

**26.** Nothing in this Act shall be construed as affecting any powers of the Board of Trade, or as authorising any matter or thing to be done without the consent of the Board of Trade in any case where that consent is required to be obtained by virtue of sub-section (2) of section two of the Northern Ireland (Miscellaneous Provisions) Act, 1928, passed by the Parliament of the United Kingdom; nor shall anything in this Act confer any power of levying drainage rates in respect of foreshore belonging to the Crown.

Interpre-  
tation.

**27.**—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

61 & 62 Vict.,  
c. 37.

“Public work” means a public work within the meaning of sub-section (1) of section one hundred and nine of the Local Government (Ireland) Act, 1898, and includes a street or sewer within the meaning of section two of the Public Health (Ireland) Act, 1878:

“Navigation Award” and “Drainage Award” mean, respectively, the award made by the Commissioners of Public Works in Ireland with respect to navigation within the District of Lough Neagh and dated the eighteenth day of February, eighteen hundred and fifty-nine, and the award made by the said Commissioners with respect to drainage and water power within the said District and dated the fourth day of April, eighteen hundred and fifty-nine.

(2) References in this Act to enactments of the Parliament of the United Kingdom shall be construed as references to those enactments as they apply in Northern Ireland.

Short title  
and con-  
struction.

**28.**—(1) This Act may be cited as the Drainage Act (Northern Ireland), 1929.

(2) This Act shall be construed as one with the Drainage Act (Northern Ireland), 1925, and that Act and this Act may be cited together as the Drainage Acts (Northern Ireland), 1925 and 1929.

## FIRST SCHEDULE.

A.D. 1929

Section 1.

Interim Report of the Drainage Advisory Committee on the drainage of Lough Neagh and the River Bann, dated 14th March, 1927, and presented to Parliament by command of the Governor of Northern Ireland (1927—Cmd. 72).

Final Report of the Drainage Advisory Committee on the Drainage of Lough Neagh and the River Bann, dated 9th November, 1928, and presented to Parliament by command of the Governor of Northern Ireland (1928—Cmd. 90).

## SECOND SCHEDULE.

Section 8.

## MODIFICATIONS OF THE LANDS CLAUSES ACTS.

1. Where the compensation payable (whether the amount thereof has been settled by agreement or determined by the arbitrator) to any person claiming any interest in land does not exceed the sum of one hundred pounds, and the claimant gives *prima facie* evidence which satisfies the Ministry that for not less than six years immediately preceding he, or his immediate predecessor in title, has been personally or by an agent in receipt of the rents or profits of the land in respect of which compensation is payable, or in actual occupation thereof, the Ministry may—

- (a) if that person claims as absolute owner, pay to him the compensation payable for the interest in respect of which he claims, and
- (b) if that person claims as limited owner of the interest in respect of which he claims, pay the compensation payable for that interest to the trustees of the settlement under which such limited owner claims, or, where there are no such trustees, pay such compensation into the county court in accordance with the provisions of article seven of this Schedule.

2. Where any compensation not exceeding the sum of one hundred pounds is payable in respect of an interest which is subject to any mortgage or charge (not being a charge consisting of an annuity under the Land Purchase Acts, or a charge in respect of any sums repayable in respect of a loan or advance made by any Government department), the compensation may be paid to the person entitled to the mortgage or charge, or, if there is more than one such mortgage or charge, then to the person entitled to the mortgage or charge which is first in priority, and the amount so paid shall be received in reduction of the principal sum for the time being owing in respect of the mortgage or charge, notwithstanding any direction, proviso or covenant to the contrary contained in any instrument.

3. A memorandum of the amount paid under the last preceding article shall, when practicable, be endorsed on the instrument creating the mortgage or charge, and shall be signed by the person receiving

A D. 1929.

the compensation, and a copy of the memorandum shall be furnished by the Ministry at its expense to all persons appearing to it to be entitled to any interest in the land subject to the mortgage or charge.

4. Where the Ministry has, pursuant to any foregoing provision of this Schedule, paid purchase money or compensation not exceeding the sum of one hundred pounds to any person, that person shall give the Ministry a receipt for the same in a form to be prescribed by the Ministry, which receipt shall be prepared by and at the cost of the Ministry. In the case of land the ownership of which is not registered, the said receipt shall, when given by a person who may be dealt with as absolute owner or by a person entitled to a mortgage or charge upon the interest of any such person, be effectual to vest absolutely in the Ministry the fee simple of the land in respect of which the purchase money or compensation was paid. No approval fee or other charge shall be payable by the Ministry in respect of any receipt given in pursuance of this article.

5. A copy of the said receipt shall, on the request of any person entitled to any estate or interest in the land in respect of which the purchase money or compensation was paid, be furnished by the Ministry at its expense to that person.

6. Any person claiming to be entitled to any money paid to another person pursuant to the foregoing provisions of this Schedule may, within six years after the payment has been made, on giving such notice as may be required by rules of court, apply for relief in manner provided by those rules to the county court within the jurisdiction of which the land, in respect of which the money has been paid, is situate; and the court may either dismiss the application, or make a decree against the Ministry for the amount found due in respect of the claim, and in the latter case the said amount shall be a debt due to the Ministry by the person to whom the money was paid by the Ministry, and arising at the date of such decree.

7. If it appears to the Ministry that any person making any claim for compensation in respect of land, or in respect of any estate or interest therein, is not absolutely entitled to the land or estate or interest in respect of which his claim is made, or that his title thereto is not satisfactorily deduced, or if any such person refuses to produce his title, or to accept the compensation as determined by the official arbitrator, or if no claim has been made to the compensation within a year after it has been determined, then, if the total amount of the compensation does not exceed one thousand pounds, the Ministry may pay the money into the county court, and that court shall have with respect thereto all the jurisdiction exercisable by the High Court under the Lands Clauses Acts.

8. Section seventy-two of the Lands Clauses Consolidation Act, 1845, shall have effect as if "one hundred pounds" were substituted therein for "twenty pounds."

9. Where the Ministry enters on any land in pursuance of its powers under the scheme before the conveyance of such land has been executed, the Ministry shall pay interest at the rate of five pounds

per cent. per annum upon the compensation money, as from the date when the Ministry enters on the land in respect of which the compensation is payable until the time of the payment of such money and interest to the party entitled thereto, or, where such compensation is paid into court, then until the sum with such interest is paid into court accordingly.

A.D. 1929.

10. An arbitrator by whom compensation is determined may, within one month after the making by him of an award, correct any mistake therein, or supply any accidental omission therefrom.

11. Rules of court regulating the practice, procedure and costs in the county court under this Schedule shall be made by the authority having power to make rules and orders for regulating the practice of the civil bill courts.

### THIRD SCHEDULE.

Section 14.

| Contributing County Council. |    |    |    | Proportion of Contribution. | } per cent. |
|------------------------------|----|----|----|-----------------------------|-------------|
| Antrim                       | .. | .. | .. | 28.58                       |             |
| Armagh                       | .. | .. | .. | 33.96                       |             |
| Down                         | .. | .. | .. | 6.28                        |             |
| Londonderry                  | .. | .. | .. | 13.32                       |             |
| Tyrone                       | .. | .. | .. | 17.86                       |             |

### CHAPTER 21.

An Act to amend the provisions of the Motor Vehicles (Traffic and Regulation) Act (Northern Ireland), 1926 ; to make further provision for the punishment of certain offences in connection with the driving of motor cars ; to establish a Tribunal to fix fares and rates for certain public service vehicles ; to empower the Ministry of Home Affairs to regulate general traffic on public highways ; and for purposes connected therewith.

[14th January, 1930.]

A.D. 1929

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**B**E it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

Amendments  
as to  
penalties for  
speed  
offences.  
16 & 17  
Geo. 5, c. 31.

1.—(1) Where a person is convicted of a speed offence under the Motor Vehicles (Traffic and Regulation) Act (Northern Ireland), 1926 (in this Act referred to as “the principal Act”), no previous convictions of that person for a speed offence shall be taken into account for the purpose of determining the penalty for the first-mentioned offence, or in connection with the suspension of the licence of that person for the first-mentioned offence, if a period of twelve months or more has elapsed since his last such previous conviction ; and paragraph (i) of the proviso to sub-section (1) of section four, and sub-section (2) of section six, of the principal Act shall be subject to the provisions of this section.

(2) The right of a person, under sub-section (3) of section four of the principal Act, to obtain a new licence free from endorsement shall, in a case where the endorsements on the endorsed licence relate to speed offences only, arise when no conviction for a speed offence has been endorsed thereon during a continuous period of twelve months.

(3) In this section the expression “speed offence” means an offence under sub-section (2) of section six of the principal Act consisting of the driving of a motor car at a speed exceeding a speed limit referred to in that sub-section.

Provisions  
as to indict-  
able offences  
in connec-  
tion with  
driving of  
motor cars.

2.—(1) On the trial of any indictment for manslaughter or for doing or causing bodily harm to any person whatsoever in connection with the driving of a motor car on a public highway, the jury may acquit the defendant of manslaughter or of doing or causing bodily harm and find him guilty of driving recklessly or wantonly or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case.

(2) Any person who is convicted under this section shall be liable, at the discretion of the court, to be imprisoned for any term not exceeding six months, or to pay



such fine as the court shall award in addition to or in lieu of any such other punishment as aforesaid.

A D. 1929.

(3) The court before whom any person is convicted under this section—

- (a) may, if the person convicted holds a licence under Part 1. of the principal Act, suspend that licence for such time as the court thinks fit, and also declare the person convicted to be disqualified for obtaining such licence for such further time after the expiration of the licence as the court thinks fit ;
- (b) may, if the person convicted does not hold any such licence, declare him disqualified for obtaining such licence for such time as the court thinks fit ; and
- (c) if the person convicted holds such licence, may, if the court thinks fit, cause particulars of the conviction and of any resulting disqualification to be endorsed upon any such licence held by him, and shall, where any licence is so endorsed under this section, cause a copy of those particulars to be sent to the council by whom any licence so endorsed has been granted, and to the Ministry of Home Affairs.

3. Sub-section (1) of section two of the principal Act shall have effect as if the words “drunk while in charge on any highway or other public place of a motor car” were omitted and the following words inserted instead : “found when driving or attempting to drive, or when in charge of a motor car on any highway or other public place, to be under the influence of drink or drugs to such an extent as to be incapable of having proper control of the vehicle.”

Drunk in  
charge of  
motor  
vehicles.

4. In the case of offences arising under this Act, or under the principal Act where the offence is to be dealt with by a court of summary jurisdiction, the court shall consist of a resident magistrate sitting alone.

Court to con-  
sist of  
resident  
magistrates.

5. A licence to drive a public service vehicle, having seating capacity for not more than six persons in addition to the driver, may be issued to a person who is nineteen or more years of age if he is otherwise qualified to receive

Amendment  
as to  
minimum  
age for  
drivers of  
certain

A.D. 1929.

public  
service  
vehicles.

Provisions as  
to conditions  
attached to  
licences for  
public  
service  
vehicles.

such licence under sub-section (3) of section twelve of the principal Act and the regulations made for the purposes of that sub-section.

6.—(1) Section eleven of the principal Act shall have effect as if in sub-section (1) the words “or as the Ministry of Home Affairs may determine” were inserted after the word “prescribed” where that word secondly occurs and as if the following sub-sections were inserted therein after sub-section (1):—

“(1A) Where the Ministry of Home Affairs, under the provisions of sub-section (1) of this section, imposes upon the owner of, or person holding the licence in respect of, a public service vehicle conditions as to—

- (a) the route or routes upon which the vehicle may or may not be used ;
- (b) the arrangement of the services on which the vehicle is run ; or
- (c) the time-tables to be observed in the running of the vehicle ;

then, in any such case, the fares to be charged for passengers, and the rates to be charged for luggage and parcels, conveyed by the vehicle when used upon a route, shall, if any fares or rates were in force on the seventh day of November, nineteen hundred and twenty-nine, in respect of vehicles used upon that route, be those fares or rates, but subject to alteration or amendment from time to time by the Tribunal established by the Motor Vehicles and Road Traffic Act (Northern Ireland), 1929, and shall, if no fares or rates were in force in respect of such vehicles on the said day, be such as may be fixed, altered or amended from time to time in pursuance of the said Act. A condition requiring such fares and rates as aforesaid to be charged shall be deemed to have been imposed under sub-section (1) of this section.

“(1B) Any condition on which a licence is to be granted may be either prescribed by regulations or inserted in or endorsed on the licence in respect of a vehicle ; and a condition so inserted in or endorsed on a licence, or deemed to be imposed under

“sub-section (1) of this section, shall have the like effect as if it were prescribed by regulations.

A.D 1929.

“(1c) The purposes for which the Roads Committee for Northern Ireland is appointed under section twenty-two of the Ministry of Transport Act, 1919 (as that Act applies in Northern Ireland) shall be taken to include the giving of advice and assistance to the Ministry of Home Affairs with respect to, and for safeguarding any interests affected by, the exercise by the said Ministry of its power to make conditions on which a licence may be granted in respect of a public service vehicle.

9 & 10 Geo. 5,  
c. 50.

The maximum number of members of the said Committee shall be increased from seven to nine, and the said Committee shall include a representative of railway proprietors in Northern Ireland appointed after consultation with the interests concerned.”

(2) The Ministry of Home Affairs shall consult the county surveyor of the county concerned, before that Ministry imposes, in respect of any licences for public service vehicles used to carry passengers for hire in a county not being a county borough, conditions which permit of any such vehicle being so used on any route in the county from which public service vehicles are excluded at the date of the passing of this Act.

7.—(1) There shall be established a tribunal (in this section referred to as “the Tribunal”) consisting of such three persons as may be appointed by the Governor of Northern Ireland, and having jurisdiction to fix the fares to be charged for passengers, and the rates to be charged for luggage and parcels, conveyed by public service vehicles in respect of which conditions are imposed by the Ministry of Home Affairs under section eleven of the principal Act as to the route or routes which may or may not be used, the arrangement of the services, or the time-tables to be observed; and the fares and rates within the jurisdiction of the Tribunal are in this section referred to as “fares.”

Fares and  
rates  
Tribunal.

(2) The Ministry of Home Affairs shall, when it imposes any such conditions as are mentioned in sub-section (1) of this section, refer to the Tribunal the question of the fares to be charged for the vehicles to

A.D. 1929.  
—

which the conditions apply ; and, pending the decision of the Tribunal, those fares shall be such as the said Ministry may approve.

(3) It shall be the duty of the Tribunal to fix fares—

- (a) in any case which is referred to them in pursuance of sub-section (2) of this section, or in which a representation is made to them by the Ministry of Home Affairs to the effect that any fares in force ought to be re-considered or revised ;
- (b) in any case where a local authority, or a body of persons, or a person who deems himself aggrieved by any fares (in this section referred to as an “aggrieved person”) applies to the Tribunal to re-consider or revise any fares in force for a public service vehicle.

A decision of the Tribunal shall be final and not subject to appeal to any court : Provided that the said Ministry, if it has made a representation, or any local authority, body or aggrieved person who has made an application, to the Tribunal under this sub-section, may appeal on any point of law from the decision of the Tribunal upon such representation or application to such division or court of the Supreme Court as may be prescribed by rules of that Court, and in accordance with such procedure as may be so prescribed, and the decision of the court or division so prescribed shall be final.

(4) The following provisions shall have effect for the purpose of the exercise by the Tribunal of their powers and duties under this section :—

- (a) The Tribunal may hold sittings in some convenient place and thereat hear and inquire into applications and other matters within their jurisdiction under this section, and hear, receive and examine any evidence and information offered respecting such applications or matters ;
- (b) The Tribunal may, if it appears to them that an application is unreasonable or vexatious, order the whole or any part of the costs or expenses of holding any sittings at which inquiry was made into such application, or of the appearance of

A.D. 1929.  

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any person or persons at such sittings, to be paid by the local authority, body or aggrieved person making the application, and the Tribunal may require a local authority, body or aggrieved person making an application to give security for the costs or expenses of holding any sittings ;

- (c) The Tribunal shall have, in relation to witnesses and their examination and the production and inspection of documents, similar powers to those conferred upon inspectors of the Ministry of Home Affairs by the Poor Relief Acts (Northern Ireland), 1838 to 1928 ;
- (d) The chairman of the tribunal shall be such one of the members thereof as the Governor of Northern Ireland may appoint ;
- (e) The Tribunal may act, notwithstanding any vacancy in their number, and two members shall be a quorum ;
- (f) All questions brought before or arising at meetings of the Tribunal shall be decided by the majority of the members present and voting, provided that in the case of an equality of votes the chairman of the Tribunal shall have a second or casting vote ;
- (g) Subject to the foregoing provisions of this subsection, the Tribunal may make regulations governing the procedure to be observed by it in the exercise of its powers and duties.

(5) The remuneration (if any) and expenses of the Tribunal or any member thereof, and the costs and expenses of any sittings held by the Tribunal, to such an amount as may be approved by the Ministry of Finance, shall be paid out of the Road Fund (Northern Ireland) in the same manner as expenses incurred by the Ministry of Home Affairs in the administration of the principal Act and payable out of the said Fund.

All sums payable by any local authority, body or person as or on account of the costs or expenses of sittings held by the Tribunal shall be paid into the Exchequer of Northern Ireland in accordance with sub-section (1) of section twenty of the principal Act ; and there shall be charged on and issued out of the Consolidated Fund of Northern Ireland, or the growing produce thereof, and paid

A.D. 1929.

to the Road Fund (Northern Ireland) in accordance with the directions of the Ministry of Finance, a sum equal to the proceeds of all sums paid into the said Exchequer as aforesaid.

(6) The amount of any sum ordered by the Tribunal to be paid as or on account of costs or expenses to which this section applies shall be certified by the Tribunal and may be recovered by the Ministry of Home Affairs, in the case of costs and expenses of sittings of the Tribunal, and, in any other case, by the person whose costs or expenses are ordered to be paid, as a debt due from the local authority, body or person by whom the costs or expenses are payable.

Power of  
Ministry of  
Home  
Affairs to  
make general  
traffic  
regulations.

8.—(1) The Ministry of Home Affairs shall have power to make regulations with respect to the use of vehicles of any kind whatsoever on public highways (including roadways to which the provisions of the principal Act apply), and for the control of traffic, both vehicular and pedestrian, thereon, including control by means of mechanically worked signals.

(2) The provisions of sub-sections (1), (2), (3) and (5) of section twenty-three of the principal Act shall apply to regulations made under this section.

(3) If an address is presented to the Governor of Northern Ireland by either House of Parliament within the statutory period after any regulation under this section is laid before such House, praying that the regulation may be annulled, the said Governor may by Order in Council annul the regulation, but without prejudice to the validity of anything previously done thereunder.

For the purpose of this sub-section the expression “statutory period” means a period comprising five days at least on which the House in question has sat, but not being in any case shorter in duration than ten days, and days comprised in more than one session of Parliament may be reckoned for that purpose.

Short title  
and  
construction.

9. This Act may be cited as the Motor Vehicles and Road Traffic Act (Northern Ireland), 1929, and shall be construed as one with the principal Act; and the principal Act and this Act may be cited together as the Motor Vehicles and Road Traffic Acts (Northern Ireland), 1926 and 1929.

CHAPTER 22.

A.D. 1930.

An Act to amend the Unemployment Insurance  
Acts (Northern Ireland), 1920 to 1929.

[24th February, 1930.]

**B**E it enacted by the King's most Excellent Majesty,  
and the Senate and the House of Commons of  
Northern Ireland in this present Parliament assembled,  
and by the authority of the same, as follows :—

1.—(1) The minimum age for entry into insurance under the principal Act shall, instead of being the age of sixteen, be the age of fifteen.

Minimum  
age for  
insurance

(2) This section shall come into operation as from such date as the Minister may appoint, not being a date later than the beginning of the insurance year next following the first insurance year as respects which the minimum age for entry into insurance under the principal Act, as it applies in Great Britain, is the age of fifteen.

2.—(1) In the case of persons who have not attained the age of twenty-one years and are not by virtue of the proviso to sub-section (1) of section four of the Unemployment Insurance Act (Northern Ireland), 1928, entitled to benefit at the same rate as persons who have attained that age, benefit shall be at the weekly rates set out in the First Schedule to this Act, instead of at the rates set out in the Third Schedule to the Unemployment Insurance Act (Northern Ireland), 1928.

Rates of  
benefit.

18 & 19  
Geo. 5, c. 3.

(2) The enactments providing that the weekly rate of benefit shall be increased in respect of certain dependants shall be amended as follows :—

- (a) The increase in respect of dependants other than children shall be nine shillings instead of seven shillings ;
- (b) Where a person entitled to benefit (not being a person entitled to an increase of the weekly rate otherwise than in respect of dependent children) has previously to becoming unemployed had in his employment and thereafter continues to employ, at a rate of remuneration

A.D. 1930.

- not less than nine shillings a week, some female person, who is not residing with him, to assist in the care of his dependent children, the weekly rate shall be increased by nine shillings ;
- (c) Where a person entitled to benefit (not being a person entitled to an increase of the weekly rate otherwise than in respect of dependent children) has residing with him and is wholly or mainly maintaining a father or stepfather who is unable, by reason of physical or mental infirmity, to support himself, the weekly rate shall be increased by nine shillings ;
- (d) A person entitled to benefit shall be entitled to a weekly increase of two shillings in respect of any dependent child of his who, having attained the age of fourteen but being under the age of sixteen, is unable, by reason of physical or mental infirmity, to receive full time instruction in a day school ;
- (e) The enactments aforesaid shall have effect as if references therein to the dependent children of a person entitled to benefit included references to the younger brothers, half-brothers and step-brothers, and the younger sisters, half-sisters and step-sisters of such a person ;
- (f) For the purpose of the enactments aforesaid, a person shall not be deemed to be wholly or mainly maintaining any other person unless the insured person, when unemployed, contributes towards the maintenance of that other person an amount not less than the amount of the increase of benefit received in respect of that other person, and when in employment (except in a case where the dependency did not arise until after the date on which the insured person became unemployed) contributed more than one-half of the actual cost of the maintenance of that other person ;
- (g) In the proviso to sub-section (2) of section four of the Unemployment Insurance Act (Northern Ireland), 1928, the expression "regular wage-earning employment" shall not include employment where the amount of wage earned is less than the increase in the weekly rate of



benefit, and the expression "occupation ordinarily carried on for profit" shall not include the performance of work for payment which is less in amount than the increase in the weekly rate of benefit or the provision of board and accommodation for not more than one lodger as a member of the family :

A.D. 1930.

Provided that the requirement in paragraph (b) of this sub-section as to the employment of the female person previously to the insured person becoming unemployed shall not apply in any case where the necessity for employing such a female person did not arise until after the date on which the insured person became unemployed.

3. If provision is made by regulations under the principal Act for the payment of contributions, at the option of the persons liable to pay, either by means of adhesive stamps or by some alternative method the use of which involves greater expenses in administration to the Ministry than would be incurred if the contributions were paid by means of adhesive stamps, a provision may be included in the regulations for requiring any person who adopts the alternative method to pay to the Ministry such fees as may be determined by the Ministry, with the concurrence of the Ministry of Finance, to represent the difference between the expenses incurred by the Ministry by reason of the fact that the alternative method has been adopted and the expenses which would have been incurred by the Ministry if the contributions payable by that person had been paid by means of adhesive stamps.

Amendment  
of s. 6 of  
principal  
Act.

4.—(1) If on a claim for benefit it is proved by an officer of the Ministry that the claimant, after a situation in any employment which is suitable in his case has been notified to him by an employment exchange or other recognised agency, or by or on behalf of an employer as vacant or about to become vacant, has without good cause refused or failed to apply for such situation, or refused to accept such situation when offered to him, or if it is proved by an officer of the Ministry that a claimant has without good cause refused or failed to carry out any written directions given to him by an officer of an employment exchange with a view to assisting him to

Amendment  
as to dis-  
qualifica-  
tions for  
receipt of  
benefit.

A.D. 1930

find suitable employment (being directions which were reasonable having regard both to the circumstances of the claimant and to the means of obtaining that employment usually adopted in the district in which the claimant resides) he shall be disqualified for receiving benefit for a period of six weeks or for such shorter period and from such date as may be determined by the court of referees or the umpire, as the case may be.

(2) For the purposes of this section, employment shall not be deemed to be suitable employment in relation to any claimant if it is—

- (a) employment in a situation vacant in consequence of a stoppage of work due to a trade dispute ;  
or
- (b) employment in his usual occupation in the district where he was last ordinarily employed at a rate of wage lower, or on conditions less favourable, than those which he might reasonably have expected to obtain, having regard to those which he habitually obtained in his usual occupation in that district or would have obtained had he continued to be so employed ;  
or
- (c) employment in his usual occupation in any other district at a rate of wage lower, or on conditions less favourable, than those generally observed in that district by agreement between associations of employers and of employees, or, failing any such agreement, than those generally recognised in that district by good employers.

Provision as  
to notification  
by  
employers of  
vacant  
situations.

5. With a view to securing that all vacant situations shall so far as possible be notified under sub-section (1) of section four of this Act to claimants for benefit and facilitating the giving of directions under the said sub-section by officers of employment exchanges, the Ministry shall so far as practicable make arrangements with employers for the notification by them to employment exchanges of situations in their employments which are vacant or about to become vacant, and for that purpose the Ministry shall consult associations of employers and employees, as the circumstances of the case may require.

6. Condition (iv) in sub-section (1) of section seven of the principal Act (which prescribes the statutory conditions for the receipt of benefit) shall cease to have effect until the expiration of this Act.

A.D. 1930.

Repeal of  
fourth  
statutory  
condition.

7. Sub-section (4) of section seven of the principal Act (which modifies the first statutory condition in relation to persons incapacitated for work by reason of some specific disease or by bodily or mental disablement) shall have effect as if after the word "disablement" there were inserted the words "or employed in any of the employments specified in Part II. of the First Schedule to this Act," and as if after the word "incapacity" there were inserted the words "or of such employment as aforesaid."

Amendment  
of first  
statutory  
condition for  
receipt of  
benefit.

8.—(1) All claims for benefit, and all questions arising in connection with such claims, shall be submitted forthwith for examination to one of the insurance officers.

Examina-  
tion and  
determina-  
tion of  
claims.

(2) The insurance officer shall forthwith take into consideration any claim submitted to him for examination under this section, and if in any case the insurance officer to whom a claim has been submitted is of opinion that the claim ought to be allowed, he may himself allow the claim.

(3) If, in the case of any claim, the insurance officer is not satisfied that the claim ought to be allowed, he shall, so far as practicable, within fourteen days after the date on which the claim was submitted to him for examination, refer the matter to the court of referees for their decision:

Provided that the insurance officer may, instead of referring the matter to the court of referees, himself disallow any claim for benefit if he is of opinion that the person claiming benefit is disqualified for receiving benefit by reason of the provisions of sub-section (1) of section eight of the principal Act.

(4) Where a claim is disallowed by the insurance officer, the claimant may at any time within twenty-one days of the date on which the decision of the insurance officer is communicated to him, or within such further time as the Ministry may in any particular case for special reasons allow, appeal in the prescribed manner to the court of referees.

A.D. 1930.

(5) Subject as hereinafter provided, an appeal shall lie to the umpire from any decision of the court of referees as follows :—

- (a) at the instance of an insurance officer, in any case ;
- (b) at the instance of an association of employed persons of which the claimant is a member, in any case ;
- (c) at the instance of the claimant—
  - (i) with the leave of the court of referees, in any case in which it appears to the court that, having regard to the importance of the principle involved in the case or any other special circumstances, leave to appeal ought to be given ; and
  - (ii) in any case in which the decision of the court of referees is not unanimous :

Provided that in any case in which a decision of a court of referees disallowing a claim is not unanimous, notice in writing of the fact shall be given by the court to the claimant within three days of the decision, and an appeal under this sub-section must be brought within six months of the date of the decision of the court of referees or such longer period as the umpire may in any case for special reasons allow.

(6) The decision of the umpire on any appeal from the court of referees shall be final.

(7) If on an appeal to the umpire under this section from a decision of the court of referees any person affected by the decision is requested by the umpire to attend before him on the consideration of the appeal and so attends, he shall be paid out of moneys provided by Parliament such travelling and other allowances, including compensation for loss of remunerative time, as the Ministry with the sanction of the Ministry of Finance may determine.

(8) Nothing in this section shall be construed as preventing an insurance officer, a court of referees or the umpire, on new facts being brought to his or their knowledge, from revising a decision given in any particular case, but where any such revision is made, the revised decision shall have effect as if it had been an original decision, and the foregoing provisions of this section shall apply accordingly.

(9) Where a claim for benefit is allowed by a court of referees, benefit shall be payable in accordance with the decision of the court notwithstanding that an appeal to the umpire is pending, unless the appeal has been brought on the ground that the claimant ought to be disqualified under the provisions of sub-section (1) of section eight of the principal Act and within twenty-one days of the date on which the decision of the court of referees was given, and any benefit paid in pursuance of the provisions of this sub-section or of the next following section of this Act shall be treated, notwithstanding that the final determination of the question is adverse to the claim, as having been duly paid and shall not be recoverable from the insured contributor under the provisions of the Unemployment Insurance Acts or otherwise.

A.D. 1930.

(10) In this section references to claims for benefit shall be construed as including references to questions arising in connection with such claims, and references to allowing or disallowing a claim shall be construed as including references to determining a question in favour of or adversely to a claimant.

9.—(1) If, in any case where a claim for benefit is made by a person in respect of a benefit period immediately following a benefit period in respect of any day of which he was entitled to or received benefit, a question is raised whether the claimant has not ceased to be entitled to receive benefit either because, by reason of the provisions of section four of this Act, he is disqualified for the receipt of benefit or because he has failed to satisfy the condition imposed by paragraph (b) of sub-section (2) of section eighteen of the Unemployment Insurance Act (Northern Ireland), 1928, the claimant shall, unless and until it is decided by the court of referees that the claim should not be allowed and if he is otherwise entitled to benefit, be treated as being entitled to receive benefit, and benefit shall be payable accordingly.

Provision  
as to pay-  
ment of  
benefit.

(2) In this section the expression “benefit period” means the period of six working days in a week in respect of which benefit is payable.

10. Section seventeen of the principal Act shall have effect as though in the proviso to sub-section (1)

Amendment  
as to ar-  
rangements

A.D. 1930.

with associa-  
 tions of  
 employed  
 persons.

Amendment  
 with respect  
 to supple-  
 mentary  
 schemes.

thereof sub-division (iv) of paragraph (a) were omitted and sub-section (1A) were omitted.

11. A supplementary scheme under section twenty of the principal Act may provide for the participation of the Ministry in the administration of the scheme to such an extent and for such purposes as may be therein specified and for the defraying out of any funds which may be available for the purposes of the scheme of such fees or other charges as may be determined by the Ministry, with the concurrence of the Ministry of Finance, in respect of the participation of the Ministry in the administration of the scheme as aforesaid.

Provisions  
 with respect  
 to payment  
 out of un-  
 employment  
 fund of  
 travelling  
 expenses of  
 insured  
 contributor.

12.—(1) Where any payment, whether by way of grant or advance, has been made out of moneys provided by Parliament to or in respect of any person, being an insured contributor in whose case the first statutory condition is fulfilled, on account of the expenses of travelling to any place for the purpose of obtaining employment, the Ministry may, whether employment has or has not been found for that person at that place, repay out of the unemployment fund to the Exchequer of Northern Ireland, in such manner as the Ministry of Finance may direct, such part of the grant or advance as may, with the consent of the Ministry of Finance, be prescribed.

(2) If, in the event of employment being found for a person to or in respect of whom any such grant or advance as aforesaid has been made, that person without reasonable excuse, either fails to enter on, or within seven days of entering thereon leaves, the employment found for him, the sum repaid under this section out of the unemployment fund may be recovered from him or deducted from any benefit which may thereafter become payable to him, and if so recovered shall be paid into the unemployment fund.

Application  
 of Unem-  
 ployment  
 Insurance  
 Acts to em-  
 ployment  
 abroad.

13. Regulations made under section thirty-five of the principal Act may provide that, subject to any prescribed conditions, where persons in the employment of a person resident or having his principal place of business in Northern Ireland are engaged outside Northern Ireland for the purpose of the execution of some particular work

in employment which, if it were employment in Northern Ireland, would make them employed persons within the meaning of the Unemployment Insurance Acts, they shall, if they were immediately before leaving Northern Ireland insured contributors, be deemed for the purposes of the said Acts to be, subject to any prescribed modifications or exceptions, employed persons within the meaning thereof and insurable thereunder.

A.D. 1930.

14.—(1) Subject to the provisions of this section, provision may be made by regulations for crediting with contributions any persons who, having attained the minimum age for entry into insurance, are attending schools, courses of instruction or day continuation schools recognised by the Ministry of Education for the purpose of payment of Parliamentary grants or approved by that Ministry for the purposes of this section, or junior instruction centres or classes :

Crediting of  
contribu-  
tions in  
respect of  
persons con-  
tinuing  
education.

Provided that contributions credited under this section shall not be taken into account for the purposes of a claim for benefit made by a person who has attained the age of eighteen years.

(2) The provisions subject to which regulations may be made under this section are as follows :—

- (a) Subject as hereinafter provided, not more than one contribution shall be credited in respect of each period of two weeks' attendance at the school, course, centre or class, and not more than twenty contributions in all shall be credited to any person :

Provided that in the case of a person attending a school (other than a day continuation school) or a course of instruction no contributions shall be so credited unless and until that person becomes entitled to have five contributions so credited ;

- (b) Any week in which a contribution is paid in respect of any person shall be excluded in calculating periods of attendance ;  
(c) No contribution shall be credited to a person in respect of attendance at a school, course, centre or class after he attains the age of sixteen ;

A.D. 1930  
 —

(d) No contribution shall be credited to a person in respect of any period if in either week of the period the amount of the attendance at the school, course, centre, or class is less than the minimum amount of attendance prescribed by the regulations.

(3) Provision may be made by the regulations under this section for determining how far holidays are to be included in calculating periods of attendance.

(4) This section shall come into operation on the date on which section one of this Act comes into operation.

Provision of  
 approved  
 courses of  
 instruction  
 for persons  
 under  
 eighteen.

**15.—**(1) The Ministry, after consultation with the Ministry of Education, shall, subject to regulations made with the approval of the Ministry of Finance, make arrangements with local education authorities constituted under the Education Act (Northern Ireland), 1923, for the provision, so far as is practicable, of approved courses of instruction for insured contributors under the age of eighteen years who claim benefit.

(2) In any case where a person, being an insured contributor who is under the age of eighteen years and has been unemployed for such period as may be prescribed, claims benefit, it shall be the duty of the Ministry, if there is an approved course of instruction at which that person can reasonably be required to attend, to cause notice in writing in the prescribed form to be given to him informing him that such a course is available, and that if he fails without good cause to attend the course he will be disqualified for the receipt of benefit, and if it is shown that such notice as aforesaid was given to any such person and that on any day he did not duly attend the course of instruction in accordance with the notice, he shall, unless he shows that he had good cause for not so attending, be disqualified for the receipt of benefit in respect of that day.

(3) For the purposes of this section the expression “approved courses of instruction” means courses of instruction approved under paragraph (v) of sub-section (1) of section seven of the principal Act.



**16.**—(1) The period of twelve months mentioned in sub-section (2) of section eighteen of the Unemployment Insurance Act (Northern Ireland), 1928 (which was extended by the Unemployment Insurance (Transitional Provisions Amendment) Act (Northern Ireland), 1929, to twenty-four months) shall be further extended to thirty-six months, and the said sub-section (2) shall have effect accordingly; and the latest day in respect of which any person shall be entitled to receive benefit under the said sub-section (2), as extended by the Unemployment Insurance (Transitional Provisions Amendment) Act, (Northern Ireland), 1929, or by this section, shall be the seventeenth day of April, nineteen hundred and thirty-two.

A.D. 1930.  
—  
Further  
amendment  
of s. 18 (2)  
of 18 & 19  
Geo. 5, c. 3.  
19 Geo. 5,  
c. 7.

(2) There shall be paid into the unemployment fund out of moneys provided by Parliament—

- (a) such amounts as may be determined by the Ministry with the concurrence of the Ministry of Finance to be approximately equivalent to the aggregate amount of the sums which either have at any time before the commencement of this Act been or are thereafter from time to time paid by way of benefit under the said sub-section (2) as extended by the Unemployment Insurance (Transitional Provisions Amendment) Act (Northern Ireland), 1929, or as extended by this section and of the sums paid at any time after the thirty-first day of March, nineteen hundred and twenty-nine, by way of benefit under the said sub-section as originally enacted to persons whose benefit years began in the period between the thirty-first day of March and the nineteenth day of April in the year nineteen hundred and twenty-nine; and
- (b) an amount approximately equivalent to the expenses incurred by the Ministry in administering the benefit aforesaid.

(3) Paragraph (c) of the said sub-section (2) shall cease to have effect until the expiration of this Act.

(4) Notwithstanding anything in the said sub-section (2), the provisions of sub-section (3) of section seven of the principal Act shall not apply in relation to the conditions imposed by paragraph (b) of the said sub-section (2).

A.D. 1930.

(5) The amounts paid into the unemployment fund under sub-section (2) of this section shall not be treated as receipts paid into that fund within the meaning of the proviso to sub-section (3) of section twelve of the principal Act, and the maximum sum applicable under the said proviso as an appropriation in aid shall be increased by a sum equal to the amount paid into the unemployment fund under paragraph (b) of sub-section (2) of this section.

(6) Sub-section (2) of this section shall come into operation on the passing of this Act.

Minor  
amend-  
ments.

**17.** The amendments specified in the second column of the Second Schedule to this Act, being minor amendments of the principal Act and of the enactments amending that Act, shall have effect in the provisions of that Act or those enactments specified in the first column of that Schedule, until the expiration of this Act.

Transitory  
provisions.

**18.—(1)** The Ministry may make regulations under section thirty-five of the principal Act for providing, in the case of any persons who are insured at the commencement of this Act under the Unemployment Insurance Acts and whose position is or may be affected by any of the provisions of this Act, for the transition from the provisions of those Acts to those provisions as amended by this Act, and, in particular, for enabling claims to benefit made by such persons or classes of persons as may be prescribed to be determined as if sections four, six, eight and nine, and sub-sections (3) and (4) of section sixteen of this Act had come into operation on such date, not being earlier than the thirty-first day of January, nineteen hundred and thirty, as may be prescribed, and for the payment of benefit at any time after the said date in respect of any such claims which are allowed.

(2) This section shall come into operation on the passing of this Act.

Interpreta-  
tion, repeal  
and short  
title.

**19.—(1)** In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say :—

“Benefit” means unemployment benefit :

“Insured contributor” means a person insured under the principal Act : A.D. 1930.  
—

“The Minister” means the Minister of Labour for Northern Ireland, and “the Ministry” means the Ministry of Labour for Northern Ireland :

“Employment exchange” has the same meaning as the expression “labour exchange” in the Labour Exchanges Act, 1909, and includes a branch employment office and a juvenile employment bureau :

9 Edw. 7,  
c. 7.

“The unemployment fund” means the Northern Irish unemployment fund :

“The principal Act” means the Unemployment Insurance Act, 1920 :

“The Unemployment Insurance Acts” means the Unemployment Insurance Acts (Northern Ireland), 1920 to 1929.

(2) The expression “insurance officer” in the Unemployment Insurance Acts and this Act means an insurance officer appointed under section twelve of the principal Act.

(3) References in this Act to enactments of the Parliament of the United Kingdom shall be construed as references to those enactments as they apply in Northern Ireland.

(4) Any reference in this Act to the Unemployment Insurance Acts, or to any of those Acts or to any provision in any of those Acts shall, unless the context otherwise requires, be construed as a reference to those Acts, that Act or that provision in that Act, as the case may be, as amended by this Act.

(5) The enactments set out in the Third Schedule to this Act shall, to the extent specified in the third column of that Schedule, cease to have effect until the expiration of this Act.

(6) This Act may be cited as the Unemployment Insurance (Amendment) Act (Northern Ireland), 1930, and shall be construed as one with the Unemployment Insurance Acts, and those Acts and this Act may be cited together as the Unemployment Insurance Acts (Northern Ireland), 1920 to 1930.

A.D. 1930.

Commence-  
ment and  
duration.

**20.**—(1) This Act shall, except as otherwise expressly provided, come into operation on the thirteenth day of March, nineteen hundred and thirty.

(2) This Act shall continue in force until the thirtieth day of June, nineteen hundred and thirty-three, and no longer, and thereafter the Unemployment Insurance Acts shall have effect as if this Act had not been passed.

## SCHEDULES.

Section 2.

### FIRST SCHEDULE.

#### WEEKLY RATES OF UNEMPLOYMENT BENEFIT IN CASE OF PERSONS UNDER THE AGE OF TWENTY-ONE YEARS.

|                                                                                                   |              |
|---------------------------------------------------------------------------------------------------|--------------|
| 1. Persons who have attained the age of eighteen years :                                          | <i>s. d.</i> |
| Young men - - - - -                                                                               | 14 0         |
| Young women - - - - -                                                                             | 12 0         |
| 2. Persons who have attained the age of seventeen years but are under the age of eighteen years : |              |
| Boys - - - - -                                                                                    | 9 0          |
| Girls - - - - -                                                                                   | 7 6          |
| 3. Persons who are under the age of seventeen years :                                             |              |
| Boys - - - - -                                                                                    | 6 0          |
| Girls - - - - -                                                                                   | 5 0          |

Section 17.

### SECOND SCHEDULE.

#### MINOR AMENDMENTS.

| Enactments to be amended.              | Amendment.                                                                                                                                                            |
|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The Unemployment Insurance Act, 1920 : |                                                                                                                                                                       |
| Section 5 - - - - -                    | <i>Sub-section (5) shall, so far as it relates to persons of the age of sixty-five years or upwards, be repealed.</i>                                                 |
| Section 7 - - - - -                    | In sub-section (2) after the words "statutory conditions" there shall be inserted the words "and to the "disqualifications for the receipt "of benefit respectively." |
| Section 22 - - - - -                   | In sub-section (2) for the words "refuses or neglects to comply "with any of the requirements "of this Act or the regulations                                         |

Enactments to be amended.

Amendment

A.D. 1930.

Section 22—*cont.*      -      -      -      "made thereunder," there shall  
                                                                                          be substituted the words "is  
                                                                                          "guilty of any contravention  
                                                                                          "of or non-compliance with any  
                                                                                          "of the requirements of this  
                                                                                          "Act or the regulations made  
                                                                                          "thereunder in respect of which  
                                                                                          "no special penalty is provided."

Section 28      -      -      -      -      In sub-section (1) after the words  
                                                                                          "any contributions paid by  
                                                                                          "them respectively," there  
                                                                                          shall be inserted the words  
                                                                                          "within the prescribed period,"  
                                                                                          and for the words "subject, in  
                                                                                          "the case of the employed per-  
                                                                                          "son's contributions, to the de-  
                                                                                          "duction of any amount re-  
                                                                                          "ceived by him in respect of  
                                                                                          "unemployment benefit to  
                                                                                          "which he would not have been  
                                                                                          "entitled if those contributions  
                                                                                          "had not been paid" there  
                                                                                          shall be substituted the words  
                                                                                          "subject, in the case of the  
                                                                                          "employed person's contribu-  
                                                                                          "tions to the deduction of an  
                                                                                          "amount not exceeding the  
                                                                                          "aggregate sum received by  
                                                                                          "him by way of benefit since  
                                                                                          "the date on which the first  
                                                                                          "contribution paid in error  
                                                                                          "within the prescribed period  
                                                                                          "was paid."

The Unemployment Insurance  
 Act (Northern Ireland), 1922:

Section 14      -      -      -      -      In sub-section (1) after the words  
                                                                                          "a person not in receipt of  
                                                                                          "benefit" there shall be in-  
                                                                                          serted the words "or in receipt  
                                                                                          "of less than the full amount of  
                                                                                          "benefit to which he was  
                                                                                          "entitled," after the words  
                                                                                          "had been in receipt of benefit"  
                                                                                          there shall be inserted the words  
                                                                                          "or in receipt of the full  
                                                                                          "amount of benefit to which he  
                                                                                          "was entitled," and after the  
                                                                                          words "by that person for  
                                                                                          "benefit," there shall be in-  
                                                                                          serted the words "or for the  
                                                                                          "full amount of benefit."

*Unemployment Insurance* [20 GEO. 5.]  
*(Amendment) Act*  
*(Northern Ireland), 1930.*

| A.D. 1930.         | Enactments to be amended.                                                          | Amendment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2ND SCH.<br>—cont. | <b>The Unemployment Insurance<br/>(No. 2) Act (Northern Ire-<br/>land), 1924 :</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                    | Section 6 - - -                                                                    | - In paragraph (a) for the words<br>“the benefits to which any<br>“officers, inspectors or servants<br>“employed for the purposes of<br>“the principal Act will on their<br>“retirement become entitled<br>“under the Superannuation<br>“Acts, 1834 to 1919, or under the<br>“Superannuation Acts (Northern<br>“Ireland), 1921 to 1923,” there<br>shall be substituted the words<br>“any superannuation allow-<br>“ances, lump sums, or gratui-<br>“ties to which any officers,<br>“inspectors or servants em-<br>“ployed for the purposes of the<br>“principal Act, or the legal<br>“personal representatives of<br>“any such persons, will become<br>“entitled under the Super-<br>“annuation Acts, 1834 to 1919, or<br>“under the Superannuation Acts<br>“(Northern Ireland), 1921 to<br>“1925.” |
|                    | <b>The Unemployment Insurance<br/>Act (Northern Ireland),<br/>1928 :</b>           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                    | Section 4 - - -                                                                    | - In the proviso to sub-section (2) after<br>the word “having” there shall be<br>inserted the words “or assisting<br>in.”                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                    | Section 7 - - -                                                                    | - For the words “continuously em-<br>ployed” there shall be substituted<br>the words “continuously un-<br>employed.”                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                    | Section 8 - - -                                                                    | - In sub-section (2) for the words<br>“the age of sixteen years and<br>“are under the age of eighteen”<br>there shall be substituted the<br>words “the age for entry into<br>“insurance and are under the<br>“age of twenty-one.”                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

THIRD SCHEDULE.

A.D. 1930.

ENACTMENTS TEMPORARILY REPEALED.

Section 19.

| Session and Chapter.      | Short Title.                                                     | Extent of Repeal.                                                                                                                                                                                                                                                                                              |
|---------------------------|------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10 & 11 Geo. 5,<br>c. 30. | The Unemployment Insurance Act, 1920.                            | In sub-section (1) of section seven, condition (iv) and the words from "Provided that" "a person" to the words "good employers"; section eleven (except sub-section 10); in section seventeen, sub-division (iv) of paragraph (a) of the proviso to sub-section (1), and sub-section (1A); and section thirty. |
| 11 & 12 Geo. 5,<br>c. 15. | The Unemployment Insurance (No. 2) Act, 1921.                    | In section ten, the words "or the fourth."                                                                                                                                                                                                                                                                     |
| 14 & 15 Geo. 5,<br>c. 25. | The Unemployment Insurance (No. 2) Act (Northern Ireland), 1924. | In sub-section (2) of section seven, the words "a recommendation" and the words "or recommendation" and the words from "Any question" to the end of the section; and sub-section (2) of section ten.                                                                                                           |
| 18 & 19 Geo. 5,<br>c. 13. | The Unemployment Insurance Act (Northern Ireland), 1928.         | Sub-section (3) of section four; in sub-section (2) of section eighteen the words from "and (c) that" to "during that period," the words "and (c)" and the paragraph beginning "In the case of"; and paragraphs 2, 3, 4 and 5 of the Third Schedule.                                                           |

# TABLE II

SHOWING THE EFFECT OF THE YEAR'S  
LEGISLATION.

## PART I.

ACTS OF PARLIAMENT OF THE  
UNITED KINGDOM  
(IN CHRONOLOGICAL ORDER) REPEALED.  
AMENDED OR OTHERWISE AFFECTED  
BY ACTS OF  
THE PARLIAMENT OF NORTHERN IRELAND  
PASSED IN THE SESSIONS  
19 GEO. 5 & 20 GEO. 5.

| Statute and<br>Chapter of<br>Act of<br>Parliament. | Short<br>Title.                                      | How<br>affected.                                             | Chapter,<br>section, &c.,<br>of 19 Geo. 5,<br>or 20 Geo. 5. |
|----------------------------------------------------|------------------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------------|
| 52 Geo. 3, c. 134.                                 | Butter<br>Trade<br>(Ireland)<br>Act, 1812.           | Act repealed so far as<br>it relates to butter<br>factories. | 20, c. 14, s. 1<br>(4).                                     |
| 8 & 9 Vict., c. 18.                                | Lands<br>Clauses<br>Consolida-<br>tion Act,<br>1845. | Act app. as modified }<br>s. 72 am.                          | 20, c. 20, s. 8<br>and Sched.<br>2 (8).                     |
| 10 & 11 Vict., c. 16.                              | Commis-<br>sioners<br>Clauses<br>Act, 1847.          | s. 67 excl.                                                  | 20, c. 18, s. 8<br>(2).                                     |
| 14 & 15 Vict., c. 93.                              | Petty<br>Sessions<br>(Ireland),<br>Act, 1851.        | s. 22 app.                                                   | 20, c. 9, s. 5<br>(3) (b).                                  |



| Statute and Chapter of Act of Parliament. | Short Title.                              | How affected.                                                                                                                                                                                                                                                         | Chapter, section &c., of 19 Geo. 5, or 20 Geo. 5.                                                                                                                                                                                                            |
|-------------------------------------------|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 20 & 21 Vict., c. 60.                     | Irish Bankrupt and Insolvent Act, 1857.   | Act app. with mod.<br>s. 120 am.<br>s. 149 am. and (in part) rep.<br>s. 150 am.<br><br>ss. 271, 272 app.<br>s. 304 ext.<br><br>ss. 307-311, 321 app.<br><br>s. 314 rep. ; new provisions substit.<br><br>ss. 346, 347 rep. and re-enacted with amendts.<br>s. 351 am. | 20, c. 1 s. 21 (5).<br>20, c. 1, s. 3.<br>20, c. 1, s. 4 (1).<br>20, c. 1, s. 4 (2).<br>20, c. 1, s. 16.<br>20, c. 1, s. 22 (1).<br>20, c. 1, s. 21 (5).<br>20, c. 1, ss. 12, 29 and 2nd Sched.<br>20, c. 1, ss. 5 (1), 29 and 2nd Sched.<br>20, c. 1, s. 6. |
| 34 & 35 Vict., c. 105.                    | Petroleum Act, 1871.                      | Act repealed with saving, after amendt. by 19 Geo. 5., c. 8.                                                                                                                                                                                                          | 20, c. 13, s. 25 (2) and 3rd Sched.                                                                                                                                                                                                                          |
| 35 & 36 Vict., c. 57.                     | Debtors Act (Ireland) 1872.               | s. 11 am. and extd.<br><br>s. 12 am.                                                                                                                                                                                                                                  | 20, c. 1, ss. 23 (1) (2).<br>26 (4).<br>20, c. 1, s. 27.                                                                                                                                                                                                     |
| c. 58.                                    | Bankruptcy (Ireland) Amendment Act, 1872. | Act app. with mod.<br>s. 21 am.<br><br>s. 30 app.<br><br>s. 52 rep. new provns. substit.<br><br>ss. 53, 54, 55 am.<br><br>s. 61 am.<br><br>ss. 97, 98 app.                                                                                                            | 20, c. 1, s. 21 (5).<br>20, c. 1, ss. 1, 29 and 2nd Sched.<br>20, c. 1, s. 20 (2).<br>20, c. 1, ss. 12, 29 and 2nd Sched.<br>20, c. 1, ss. 13, 14 (1) (2).<br>20, c. 1, s. 4 (3).<br>20, c. 1, s. 19.                                                        |

| Statute and Chapter of Act of Parliament. | Short Title.                                             | How affected.                                                                             | Chapter, section &c., of 19 Geo. 5, or 20 Geo. 5.                                                                     |
|-------------------------------------------|----------------------------------------------------------|-------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| 38 & 39 Vict., c. 17.                     | Explosives Act, 1875.                                    | ss. 37, 55, 63, 65, 66 incorporated with modifications.                                   | 19, c. 8. s. 10 and 3rd Sched.                                                                                        |
| 40 & 41 Vict., c. 2.                      | Treasury Bills Act, 1877.                                | s. 6 excl.                                                                                | 19, c. 2, s. 3 (2).<br>20, c. 7, s. 2 (2).<br>20, c. 16, s. 2 (2).                                                    |
| 41 & 42 Vict., c. 52.                     | Public Health (Ireland) Act, 1878.                       | s. 103 app.<br>ss. 219-223 app.<br><br>s. 232 as am. (in part) rep.<br>s. 269 app. as am. | 20, c. 9, s. 10 (9).<br>20, c. 9, s. 6 (2).<br>20, c. 13, s. 11 (3).<br>20, c. 10, s. 7 (1).<br>20, c. 20, s. 23 (2). |
| 42 & 43 Vict., c. 47.                     | Petroleum Act, 1879.                                     | Act repealed with saving, after amendt. by 19 Geo. 5, c. 8.                               | 20, c. 13, s. 25 (2). and 3rd Sched.                                                                                  |
| 44 & 45 Vict., c. 67.                     | Petroleum (Hawkers') Act, 1881.                          | Act rep.                                                                                  | 19, c. 8, s. 20 (4) and 5th Sched.                                                                                    |
| 45 & 46 Vict., c. 75.                     | Married Women's Property Act, 1882.                      | ss. 1 (5), 3 rep.                                                                         | 20, c. 1, s. 29 and 2nd Sched.                                                                                        |
| 51 & 52 Vict., c. 25.                     | Railway and Canal Traffic Act, 1888.                     | s. 40 excl.                                                                               | 20, c. 13, s. 9 (5).                                                                                                  |
| 52 & 53 Vict., c. 60.                     | Preferential Payments in Bankruptcy (Ireland) Act, 1889. | Act app. with mod.<br><br>s. 4 explained.<br>s. 4 (4) app.                                | 20, c. 1, s. 21 (5).<br>20, c. 1, s. 8.<br>20, c. 1, s. 21 (5).                                                       |

| Statute and Chapter of Act of Parliament. | Short Title.                                  | How affected.                                                                             | Chapter, section &c., of 19 Geo. 5, or 20 Geo. 5.                                          |
|-------------------------------------------|-----------------------------------------------|-------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| 53 & 54 Vict., c. 24.                     | Deeds of Arrangement Amendment Act, 1890.     | s. 2 (5) am.                                                                              | 20, c. 1, s. 5 (2).                                                                        |
| 56 & 57 Vict., c. 39.                     | Industrial and Provident Societies Act, 1893. | s. 22 am.                                                                                 | 19, c. 4, s. 1.                                                                            |
| 59 & 60 Vict., c. 25.                     | Friendly Societies Act, 1896.                 | ss. 63-66 excl.                                                                           | 20, c. 8, ss. 1 (3) 2.                                                                     |
| c. 36.                                    | Locomotives on Highways Act, 1896.            | s. 5 rep. and replaced with saving.                                                       | 19, c. 8, ss. 11, 20 (4) and 5th Sched., and see also 20, c. 13, s. 25 (2) (c).            |
| 60 & 61 Vict., c. 51.                     | Public Works Loans Act, 1897.                 | s. 5 extd.                                                                                | 20, c. 5, s. 2.                                                                            |
| 61 & 62 Vict., c. 37.                     | Local Government (Ireland) Act, 1898.         | Act (in part) excl.<br>s. 51 (in part) rep.<br>s. 86 app.<br>s. 96 (1) rep. with savings. | 20, c. 10, s. 1 (1).<br>20, c. 10, s. 10 (3).<br>20, c. 10, s. 15.<br>20, c. 10, s. 5 (2). |
| 62 & 63 Vict., c. 44.                     | Small Dwellings Acquisition Act, 1899.        | ss. 3-7, 10, app.                                                                         | 20, c. 18, s. 7.                                                                           |

| Statute and Chapter of Act of Parliament. | Short Title.                                      | How affected.                                                                                                | Chapter, section &c., of 19 Geo. 5, or 20 Geo. 5.                                                               |
|-------------------------------------------|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| 63 & 64 Vict. c. 63.                      | Local Government (Ireland) Act, 1900.             | s. 2 excl.                                                                                                   | 20, c. 10, s. 5 (1).                                                                                            |
| 1 Edw. 7, c. 17.                          | Lunacy (Ireland) Act, 1901.                       | s. 3 app.                                                                                                    | 20, c. 19, s. 4.                                                                                                |
| 7 Edw. 7, c. 21.                          | Butter and Margarine Act, 1907.                   | Act repealed so far as it relates to butter factories.<br>s. 3 rep.<br>s. 4 (1) (in part) rep.               | 20, c. 14, s. 1 (4).<br>20, c. 14, s. 7 (3).<br>20, c. 14, s. 9 (2).                                            |
| 8 Edw. 7, c. 40.                          | Old Age Pensions Act, 1908.                       | s. 3 (1) (2) rep.                                                                                            | 20, c. 17, ss. 11 (1), 26 (5) and 2nd Sched.                                                                    |
| 9 Edw. 7, c. 31.                          | Weeds and Agricultural Seeds (Ireland) Act, 1909. | s. 1 new section substit.<br>s. 2 (1) extd.<br>s. 2 (2) am.<br>s. 3 app.<br>s. 8 (2) and s. 9 (in part) rep. | 20, c. 3, s. 1.<br>20, c. 3, s. 2 (1).<br>20, c. 3, s. 3 (1).<br>20, c. 3, s. 3 (2).<br>20, c. 3, s. 5 (2).     |
| 7 & 8 Geo. 5, c. 59.                      | Midwives (Ireland) Act, 1918.                     | s. 1 (1) am.<br>s. (1) 2 new sub-section substit.<br>s. 9 app.<br>s. 11 am.<br>s. 22 (1) (2) (4) am.         | 19, c. 6, s. 4 (1).<br>19, c. 6, s. 1.<br>19, c. 6, s. 4 (2).<br>19, c. 6, s. 5.<br>19, c. 6, s. 2 (1) (2) (3). |
| c. 64.                                    | Representation of the People Act, 1918.           | ss. 31, 44 (9) app.<br>4th Sched. am.                                                                        | 19, c. 5, s. 6 (b).<br>19, c. 5, s. 5.                                                                          |

| Statute and Chapter of Act of Parliament. | Short Title.                                               | How affected.                                                                                                                                                                                                                                                                                                                                                   | Chapter, section &c., of 19 Geo. 5, or 20 Geo. 5.                                                                          |
|-------------------------------------------|------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| 9 & 10 Geo. 5, c. 35.                     | Housing, Town Planning, &c., Act, 1919.                    | s. 16 rep.                                                                                                                                                                                                                                                                                                                                                      | 20, c. 18, s. 9 (2).                                                                                                       |
| c. 50.                                    | Ministry of Transport Act, 1919.                           | s. 22 am.                                                                                                                                                                                                                                                                                                                                                       | 20, c. 21, s. 6 (1).                                                                                                       |
| c. 57.                                    | Acquisition of Land (Assessment of Compensation) Act 1919. | s. 5 app.                                                                                                                                                                                                                                                                                                                                                       | 20, c. 9, s. 10 (5).                                                                                                       |
| c. 67.                                    | Superannuation Act, 1919.                                  | Act app.                                                                                                                                                                                                                                                                                                                                                        | 20, c. 19, s. 8 (1).                                                                                                       |
| c. 99.                                    | Housing (Additional Powers) Act, 1919.                     | s. 14 (5) rep.                                                                                                                                                                                                                                                                                                                                                  | 20, c. 18, s. 9 (2).                                                                                                       |
| c. 102.                                   | Old Age Pensions Act, 1919.                                | s. 3 (1) rep.                                                                                                                                                                                                                                                                                                                                                   | 20, c. 17, s. 26 (5) and 2nd Sched.                                                                                        |
| 10 & 11 Geo. 5, c. 30.                    | Unemployment Insurance Act, 1920.                          | s. 1 temp. am.<br>s. 5 (5) temp. rep. so far as it relates to persons aged 65 years or upwards.<br>s. 6 temp. am.<br>s. 7 (1) condition (iv) and the words from "Provided that a person" to the words "good employers";<br>s. 11 (except sub-s. 10) ; in s. 17, subdivision (iv) of para. (a) of proviso to sub-s. (1), and sub-s. (1A) ; and s. 30, temp. rep. | 20, c. 22, s. 1 (1).<br>20, c. 22, s. 17 and 2nd Sched.<br>20, c. 22, s. 3.<br>20, c. 22, ss. 6, 10, 19 (5) and 3rd Sched. |

| Statute and Chapter of Act of Parliament. | Short Title.                                                                                                                 | How affected.                                                                                    | Chapter, section &c., of 19 Geo. 5, or 20 Geo. 5.            |
|-------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| 10 & 11 Geo. 5, c. 30.<br><i>contd.</i>   | Unemployment Insurance Act, 1920.                                                                                            | ss. 7 (2), 7 (4), 22 (2), 28 (1) temp. am.<br>s. 7 (3) temp. excl.                               | 20, c. 22, ss. 7, 17 and 2nd Sched.<br>20, c. 22, s. 16 (4). |
| c. 67.                                    | Government of Ireland Act, 1920.                                                                                             | s. 14 (3) am., and (in part) rep.<br>s. 71 rep. as regards elections for N. I. House of Commons. | 19, c. 5, ss. 1, 6 (a) and 2nd Sched.<br>19, c. 5, s. 5.     |
| 22nd April, 1921.                         | Order of His Majesty in Council entitled "The Election Laws Application (House of Commons of Northern Ireland) Order, 1921." | Articles 4 and 8 rep.                                                                            | 19, c. 5, s. 8 (1) and 2nd Sched.                            |
| 22nd April, 1921.                         | Order of His Majesty in Council entitled "The Irish House of Commons (Proportional Representation) Order, 1921."             | The whole Order rep.                                                                             | 19, c. 5, s. 8 (1) and 2nd Sched.                            |
| 11 & 12 Geo. 5, c. 15.                    | Unemployment Insurance (No. 2) Act, 1921.                                                                                    | In s. 10 the words "or the fourth," temp. rep.                                                   | 20, c. 22, s. 19 (5) and 3rd Sched.                          |

| Statute and Chapter of Act of Parliament. | Short Title.                         | How affected.                                                                                                        | Chapter, section &c., of 19 Geo. 5, or 20 Geo. 5.                                                                          |
|-------------------------------------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| 14 & 15 Geo. 5, c. 38.                    | National Health Insurance Act, 1924. | s. 8 am.<br>ss. 3 (2), 7 (5) app.<br>ss. 89, 94, 95 app.<br>s. 96 (1) am.<br>First Sched. Part II.<br>para (k) extd. | 20, c. 17, s. 25.<br>20, c. 17, s. 3 (3).<br>20, c. 17, ss. 1 (4), 3 (2).<br>20, c. 17, s. 20 (2).<br>20, c. 17, s. 1 (2). |

## PART 2.

ACTS OF PARLIAMENT OF NORTHERN  
IRELAND

(IN CHRONOLOGICAL ORDER) REPEALED,  
AMENDED OR OTHERWISE AFFECTED BY ACTS  
OF THAT PARLIAMENT PASSED IN THE SESSIONS

19 GEO. 5 AND 20 GEO. 5.

| Statute and Chapter of Act of Parliament. | Short Title.                      | How affected.                                       | Chapter, section &c., of 19 Geo. 5, or 20 Geo. 5. |
|-------------------------------------------|-----------------------------------|-----------------------------------------------------|---------------------------------------------------|
| 12 & 13 Geo. 5, c. 7.                     | Unemployment Insurance Act, 1922. | s. 14 (1) temp. am.                                 | 20, c. 22, s. 17 and 2nd Sched.                   |
| c. 16.                                    | Local Government Act, 1922.       | s. 5 (2) am. in its application to school teachers. | 20, c. 6, s. 1.                                   |
| c. 24.                                    | Loans Guarantee Act, 1922.        | s. 1 am.                                            | 20, c. 4, s. 1 (1) (2).                           |

| Statute and Chapter of Act of Parliament. | Short Title.                                                    | How affected.                                                                                              | Chapter, section &c., of 19 Geo. 5, or 20 Geo. 5.                                                               |
|-------------------------------------------|-----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| 13 & 14 Geo. 5, c. 7.                     | Promissory Oaths Act, 1923.                                     | Act am. in its application to school teachers                                                              | 20, c. 6, s. 1.                                                                                                 |
| c. 31.                                    | Local Government Act, 1923.                                     | s. 6 app.<br>s. 10 (in part) rep.                                                                          | 20, c. 9, s. 10 (3).<br>20, c. 10, s. 10 (3).                                                                   |
| 14 & 15 Geo. 5, c. 6.                     | Local Government (Financial Provisions) Act, 1924.              | s. 2 (in part) rep.                                                                                        | 20, c. 10, s. 10 (3).                                                                                           |
| c. 21.                                    | Industrial Assurance Act, 1924.                                 | s. 4 (4) app.<br>s. 4 (4) excl.                                                                            | 20, c. 8, s. 1 (3).<br>20, c. 8, s. 2.                                                                          |
| c. 25.                                    | Unemployment Insurance (No. 2) Act, 1924.                       | s. 6 para (a) temp. am.<br>ss. 7 (2) (in part), 10 (2), temp. rep.                                         | 20, c. 22, s. 17 and 2nd Sched.<br>20, c. 22, s. 19 (5) and 2nd Sched.                                          |
| 15 & 16 Geo. 5, c. 17.                    | Government Loans and Exchequer Provisions Act, 1925.            | s. 1 (3) am.                                                                                               | 20, c. 5, s. 1 (2).                                                                                             |
| c. 22.                                    | Unemployment Insurance Act, 1925.                               | s. 3 (2) (in part) rep.                                                                                    | 20, c. 12, s. 2 (2).                                                                                            |
| c. 23.                                    | Widows', Orphans', and Old Age Contributory Pensions Act, 1925. | Act Applied.<br>s. 1 (2) am.<br>ss. 3 (1) (c), 7 (1), 20 (1) am.<br>s. 5 (b) am. and excl.<br>ss. 5, 8 am. | 20, c. 17, s. 24.<br>20, c. 17 s. 7.<br>20, c. 17, s. 5<br>20, c. 17, ss. 6 (1), 9 (1).<br>20, c. 17, s. 6 (2). |



| Statute and Chapter of Act of Parliament. | Short Title.                                                   | How affected.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Chapter, section &c., of 19 Geo. 5, or 20 Geo. 5.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-------------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 15 & 16 Geo. 5, c. 23.<br><i>contd.</i>   | Widows', Orphans' and Old Age Contributory Pensions Act; 1925. | <p>s. 6 (1) am.</p> <p>s. 7 (2) am.</p> <p>s. 11 (3) rep.; new provisions substit.</p> <p>s. 15 (7) proviso, and 2nd Sched. proviso am.</p> <p>ss. 18 (d), 19 (1) (b); new provisions subst.</p> <p>s. 20 (1) (d); new para. substit.</p> <p>s. 20 (2) app.</p> <p>s. 21 (2) and 3rd Sched. rep.</p> <p>s. 22 (a) excl.</p> <p>s. 23 (1) am.</p> <p>s. 23 (2) rep.</p> <p>s. 24 (1) (2) am.</p> <p>s. 24 (5); new sub-s. substit.</p> <p>ss. 25, 26 rep.</p> <p>s. 28 (1) am.</p> <p>s. 28 (4) proviso rep.</p> <p>s. 29 app.</p> <p>s. 29 (3) rep.</p> <p>s. 30 (1) am.</p> | <p>20, c. 17, s. 8 (1).</p> <p>20, c. 17, s. 14 (4).</p> <p>20, c. 17, s. 4.</p> <p>20, c. 17, s. 9 (3).</p> <p>20, c. 17, s. 10 (1).</p> <p>20, c. 17, s. 2 (3).</p> <p>20, c. 17, s. 2 (2).</p> <p>20, c. 17, ss. 11 (1), 26 (5) and 2nd Sched.</p> <p>20, c. 17, s. 3 (1) (a).</p> <p>20, c. 17, ss. 13 (2), 26 (5) and 2nd Sched.</p> <p>20, c. 17, s. 14 (1) (2).</p> <p>20, c. 17, s. 14 (3).</p> <p>20, c. 17, ss. 15, 26 (5) and 2nd Sched.</p> <p>20, c. 17, s. 17 (1).</p> <p>20, c. 17, ss. 17 (2), 26 (5) and 2nd Sched.</p> <p>20, c. 17, s. 18 (5).</p> <p>20, c. 17, s. 26 (5) and 2nd Sched.</p> <p>20, c. 17, s. 19.</p> |

| Statute and Chapter of Act of Parliament. | Short Title.                                       | How affected.                                                                                                                                                           | Chapter, section &c., of 19 Geo. 5, or 20 Geo. 5.                                                                |
|-------------------------------------------|----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| 15 & 16 Geo. 5, c. 23.<br><i>contd.</i>   | Widows' Orphans' & Old Age etc.— <i>contd.</i>     | s. 35 (1) am.                                                                                                                                                           | 20, c. 17, s. 20 (2).                                                                                            |
| c. 24.                                    | Drainage Act, 1925.                                | s. 44 (3) am.                                                                                                                                                           | 20, c. 17, s. 1 (3).                                                                                             |
|                                           |                                                    | Part III of Act am.                                                                                                                                                     | 20, c. 20, s. 2 (1) (h).                                                                                         |
|                                           |                                                    | s. 1 (3) new sub-s. substit.                                                                                                                                            | 20, c. 20, s. 20 (1).                                                                                            |
|                                           |                                                    | s. 2 (1) (2) extd.                                                                                                                                                      | 20, c. 20, s. 20 (3).                                                                                            |
|                                           |                                                    | s. 3 (1) am.                                                                                                                                                            | 20, c. 20, s. 21.                                                                                                |
|                                           |                                                    | s. 4, new sect. substit.                                                                                                                                                | 20, c. 20, s. 20 (4).                                                                                            |
|                                           |                                                    | s. 12 new sect. substit.                                                                                                                                                | 20, c. 20, s. 22.                                                                                                |
|                                           |                                                    | ss. 24, 25 am.                                                                                                                                                          | 20, c. 20, s. 20 (5).                                                                                            |
|                                           |                                                    | s. 26 am.                                                                                                                                                               | 20, c. 20, s. 23 (1).                                                                                            |
|                                           |                                                    | 3rd Sched. app.                                                                                                                                                         | 20, c. 20, ss. 2 (3), 5 (4).                                                                                     |
| c. 28.                                    | Superannuation Act, 1925.                          | Act app.                                                                                                                                                                | 20, c. 19, s. 8 (1).                                                                                             |
| 16 & 17 Geo. 5, c. 1.                     | Unemployment Insurance (Agreement) Act, 1926.      | s. 3 app.<br>s. 4 am.                                                                                                                                                   | 19, c. 1, s. 3.<br>19, c. 1, s. 4 (1) (a).                                                                       |
|                                           |                                                    | s. 6 app.                                                                                                                                                               | 19, c. 1, s. 4 (3).                                                                                              |
| c. 11.                                    | Economy (Exchequer Relief) Act, 1926.              | s. 8 and 2nd Sched rep.                                                                                                                                                 | 20, c. 12, s. 2 (2).                                                                                             |
| c. 31.                                    | Motor Vehicles (Traffic and Regulation) Act, 1926. | s. 2 (1) am.<br>ss. 4 (1) para (i) of proviso. 4 (3), 6 (2) am.<br>s. 11 (1) am.; new sub-sections (1A) (1B) (1c) added.<br>s. 12 (3) am.<br>s. 23 (1) (2) (3) (5) app. | 20, c. 21, s. 3.<br>20, c. 21, s. 1 (1) (2).<br>20, c. 21, s. 6 (1).<br>20, c. 21, s. 5.<br>20, c. 21, s. 8 (2). |

| Statute and Chap'er of Act of Parliament. | Short Title.                                     | How affected.                                                                                                                                                                                     | Chapter, section &c., of 19 Geo. 5, or 20 Geo. 5.                                                                                  |
|-------------------------------------------|--------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| 17 & 18 Geo. 5, c. 15.                    | Housing Act, 1927.                               | s. 1 (1) am.                                                                                                                                                                                      | 20, c. 18, s. 1 (1).                                                                                                               |
| 18 & 19 Geo. 5, c. 3.                     | Unemployment Insurance Act, 1928.                | ss. 2 (1) (b), 17 and 2nd Sched. rep.<br>ss. 4 (2), 7, 8 (2) temp. am.<br>ss. 4 (3), 18 (2) (in part, after amendt. by 19 Geo. 5, c. 7 s. 1), and paras. 2, 3, 4 and 5 of 3rd Sched. ; temp. rep. | 20, c. 12, s. 2 (2).<br>20, c. 22, ss. 2 (2) (a) (g), 17 and 2nd Sched.<br>20, c. 22, ss. 2 (1), 16 (1) (2), 19 (5) and 3rd Sched. |
| c. 24.                                    | Representation of the People Act, 1928.          | s. 6 (1) mod.                                                                                                                                                                                     | 19, c. 5, s. 2 (6).                                                                                                                |
| c. 30.                                    | Rating and Valuation (Apportionment) Act, 1928.  | Act (in part) excl.<br>s. 4 (2) extended<br>Sched. Art. 5 app.                                                                                                                                    | 20, c. 10, s. 5 (4).<br>20, c. 10, s. 8 (1).<br>20, c. 10, s. 8 (3).                                                               |
| 19 Geo. 5, c. 8.                          | Petroleum (Amendment) Act 1929.                  | Act repealed with saving.                                                                                                                                                                         | 20, c. 13, s. 25 (2) and 3rd Sched.                                                                                                |
| 20 Geo. 5, c. 10.                         | Local Government (Rating and Finance) Act, 1929. | ss. 1, 2 excl.                                                                                                                                                                                    | 20, c. 20. s. 14 (4).                                                                                                              |

# TABLE III

## INDEX

### TO THE

### PUBLIC GENERAL ACTS.

19 GEO. 5 AND 20 GEO. 5.— A.D. 1929-30.

|                                                                                                                                                                                                                                                                                                                                                                        | PAGE |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| ADOPTED CHILDREN :                                                                                                                                                                                                                                                                                                                                                     |      |
| Application of Widows', Orphans' and Old Age Contributory Pensions Act to .. .. .                                                                                                                                                                                                                                                                                      | 247  |
| ADOPTION OF CHILDREN : An Act to make provision for the adoption of infants. (20 Geo. 5, Ch. 15) .. .. .                                                                                                                                                                                                                                                               |      |
| Section.                                                                                                                                                                                                                                                                                                                                                               | 212  |
| 1. Power to make adoption orders .. .. .                                                                                                                                                                                                                                                                                                                               | 213  |
| 2. Restrictions on making adoption orders .. .. .                                                                                                                                                                                                                                                                                                                      | 213  |
| 3. Matters with respect to which the Court is to be satisfied                                                                                                                                                                                                                                                                                                          | 214  |
| 4. Terms and conditions of order .. .. .                                                                                                                                                                                                                                                                                                                               | 215  |
| 5. Effect of adoption order .. .. .                                                                                                                                                                                                                                                                                                                                    | 215  |
| 6. Power to make interim orders .. .. .                                                                                                                                                                                                                                                                                                                                | 216  |
| 7. Power to make subsequent order in respect of infant already subject to an order .. .. .                                                                                                                                                                                                                                                                             | 216  |
| 8. Jurisdiction and procedure .. .. .                                                                                                                                                                                                                                                                                                                                  | 216  |
| 9. Restriction on payments .. .. .                                                                                                                                                                                                                                                                                                                                     | 218  |
| 10. Provisions as to existing de facto adoptions .. .. .                                                                                                                                                                                                                                                                                                               | 218  |
| 11. Adopted children register .. .. .                                                                                                                                                                                                                                                                                                                                  | 218  |
| 12. Short title and commencement .. .. .                                                                                                                                                                                                                                                                                                                               | 220  |
| SCHEDULE .. .. .                                                                                                                                                                                                                                                                                                                                                       | 221  |
| AGRICULTURAL HOLDINGS :                                                                                                                                                                                                                                                                                                                                                |      |
| Loans to occupiers of .. .. .                                                                                                                                                                                                                                                                                                                                          | 12   |
| ALLEGIANCE :                                                                                                                                                                                                                                                                                                                                                           |      |
| Oath and declaration of, in case of school teachers .. .. .                                                                                                                                                                                                                                                                                                            | 116  |
| APPROPRIATION : An Act to apply certain Sums out of the Consolidated Fund of Northern Ireland to the service of the years ending on the thirty-first day of March, nineteen hundred and twenty-nine, and the thirty-first day of March, nineteen hundred and thirty, and to appropriate the Supplies granted in this Session of Parliament. (19 Geo. 5, Ch. 2) .. .. . |      |
|                                                                                                                                                                                                                                                                                                                                                                        | 4    |
| An Act to apply a Sum out of the Consolidated Fund of Northern Ireland to the service of the year ending on the thirty-first day of March, nineteen hundred and thirty, and to appropriate the Supplies granted in this Session of Parliament. (20 Geo. 5, Ch. 7) .. .. .                                                                                              |      |
|                                                                                                                                                                                                                                                                                                                                                                        | 116  |
| No. 2 Act (Session 2) (20 Geo. 5, Ch. 16) .. .. .                                                                                                                                                                                                                                                                                                                      | 222  |

## BANKRUPT :

|                                         |     |
|-----------------------------------------|-----|
| Failure to keep proper accounts .. .. . | 104 |
|-----------------------------------------|-----|

|                                                                                                                                                                                                          |    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| BANKRUPTCY AMENDMENT: An Act to amend the laws relating to bankruptcy and to debtors in Northern Ireland, and for purposes related to or incidental to the matters aforesaid. (20 Geo. 5, Ch. 1) .. .. . | 86 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|

## PART I.

## PROCEEDINGS IN BANKRUPTCY.

*Acts of Bankruptcy.*

|                                                                                                  |    |                                                   |
|--------------------------------------------------------------------------------------------------|----|---------------------------------------------------|
| Section.                                                                                         |    |                                                   |
| 1. Amendment of 35 & 36 Vict., c. 58, s. 21 .. .. .                                              | 86 |                                                   |
| 2. Deeds of arrangement .. .. .                                                                  | 88 |                                                   |
|                                                                                                  |    | <i>Adjudication of bankruptcy.</i>                |
| 3. Amendment of 20 & 21 Vict., c. 60, s. 120 .. .. .                                             | 89 |                                                   |
|                                                                                                  |    | <i>Composition or arrangement with creditors.</i> |
| 4. Amendment of 20 & 21 Vict., c. 60, ss. 149 and 150 and 35 & 36 Vict., c. 58, s. 61 .. .. .    | 89 |                                                   |
| 5. Repeal and re-enactment with amendments of 20 & 21 Vict., c. 60, ss. 346 and 347, &c. .. .. . | 90 |                                                   |
| 6. Amendment of 20 & 21 Vict., c. 60, s. 351 .. .. .                                             | 91 |                                                   |

## PART II. ..

## ADMINISTRATION OF PROPERTY.

*Proof of Debts.*

|                                                        |    |
|--------------------------------------------------------|----|
| 7. Secured creditors .. .. .                           | 91 |
| 8. Explanation of 52 & 53 Vict., c. 60, s. 4 .. .. .   | 92 |
| 9. Postponement of husband's and wife's claims .. .. . | 92 |

*Property available for payment of debts.*

|                                                                                                     |    |
|-----------------------------------------------------------------------------------------------------|----|
| 10. Relation back of title of assignees or trustee .. .. .                                          | 92 |
| 11. Provisions as to second bankruptcy or administration in bankruptcy of bankrupt's estate .. .. . | 93 |

*Effect of bankruptcy on antecedent and other transactions.*

|                                                                                                                     |    |
|---------------------------------------------------------------------------------------------------------------------|----|
| 12. Repeal and re-enactment with amendments of 20 & 21 Vict., c. 60, s. 314 and 35 & 36 Vict., c. 58, s. 52 .. .. . | 93 |
| 13. Amendment of 35 & 36 Vict., c. 58, s. 53 .. .. .                                                                | 95 |
| 14. Amendment of 35 & 36 Vict., c. 58, ss. 54 and 55 .. .. .                                                        | 95 |
| 15. Validity of certain payments to bankrupt and assignee .. .. .                                                   | 96 |
| 16. Dealings with undischarged bankrupt .. .. .                                                                     | 96 |
| 17. Recovery of property transferred without knowledge of filing of petition of bankruptcy .. .. .                  | 97 |

*Realisation of property.*

|                                                                                  |    |
|----------------------------------------------------------------------------------|----|
| 18. Appropriation of income of property restrained from anticipation .. .. .     | 97 |
| 19. Election as to or disclaimer of onerous property of arranging debtor .. .. . | 98 |

## PART III.

## SUPPLEMENTAL PROVISIONS.

|                                                                              |     |
|------------------------------------------------------------------------------|-----|
| 20. Application of bankruptcy laws to married women .. .. .                  | 98  |
| 21. Administration in bankruptcy of estate of person dying insolvent .. .. . | 98  |
| 22. Re-vesting of property in bankruptcy matter .. .. .                      | 101 |

## PART IV.

## BANKRUPTCY OFFENCES.

|                                                                          |     |
|--------------------------------------------------------------------------|-----|
| 23. Amendment of 35 & 36 Vict., c. 57, s. 11 .. .. .                     | 102 |
| 24. Undischarged bankrupt obtaining credit .. .. .                       | 103 |
| 25. Bankrupt or arranging debtor guilty of gambling, &c. .. .. .         | 103 |
| 26. Bankrupt or arranging debtor failing to keep proper accounts .. .. . | 104 |
| 27. Amendment of 35 & 36 Vict., c. 57, s. 12 .. .. .                     | 106 |

|                                                                                                      | PART V.  | PAGE |
|------------------------------------------------------------------------------------------------------|----------|------|
|                                                                                                      | GENERAL. |      |
| 28. Interpretation .. .. .                                                                           | 106      |      |
| 29. Repeal .. .. .                                                                                   | 107      |      |
| 30. Short title, construction and citation .. .. .                                                   | 107      |      |
| SCHEDULES .. .. .                                                                                    | 107-109  |      |
| BUTTER.                                                                                              |          |      |
| <i>See</i> MARKETING OF DAIRY PRODUCE.                                                               |          |      |
| CANAL COMPANIES :                                                                                    |          |      |
| Power to make bye-laws regulating loading, etc., of petroleum spirit .. .. .                         | 176      |      |
| "CHILD," "CHILDREN" AND "ISSUE" :                                                                    |          |      |
| Expressions not to include adopted children .. .. .                                                  | 215      |      |
| CONSTABULARY :                                                                                       |          |      |
| Power to act in execution of Weeds and Agricultural Seeds Act .. .. .                                | 112      |      |
| CORONERS' INQUESTS :                                                                                 |          |      |
| On deaths arising from accidents connected with petroleum spirit .. .. .                             | 183      |      |
| COUNTY AND COUNTY BOROUGH COUNCIL :                                                                  |          |      |
| As local authorities for the purposes of Part II of the Midwives and Nursing Homes Act, 1929 .. .. . | 55       |      |
| As local authority for the purposes of the Petroleum (Consolidation) Act .. .. .                     | 169      |      |
| Power to make bye-laws as to petroleum filling stations .. .. .                                      | 177      |      |
| COUNTY COUNCILS :                                                                                    |          |      |
| Duties of, with regard to subsidiary drainage .. .. .                                                | 274      |      |
| Payments by, in connection with Drainage Act .. .. .                                                 | 273      |      |
| COUNTY COURT :                                                                                       |          |      |
| Powers under Adoption of Children Act .. .. .                                                        | 217      |      |
| Right of appeal to under Marketing of Dairy Produce Act .. .. .                                      | 211      |      |
| CREAM.                                                                                               |          |      |
| <i>See</i> MARKETING OF DAIRY PRODUCE.                                                               |          |      |
| "CREAMERY" AND "CREAMERY BUTTER" :                                                                   |          |      |
| Limitation on use of expressions .. .. .                                                             | 212      |      |
| CREAMERY PREMISES, REGISTRATION OF.                                                                  |          |      |
| <i>See</i> MARKETING OF DAIRY PRODUCE.                                                               |          |      |
| CREDIT :                                                                                             |          |      |
| Undischarged bankrupt obtaining .. .. .                                                              | 103      |      |

## CREDITORS :

|                                         |    |
|-----------------------------------------|----|
| Composition or arrangement with .. .. . | 89 |
|-----------------------------------------|----|

**CRIMINAL LUNATICS : An Act to establish a Criminal Lunatic Asylum in Northern Ireland and to provide for the transfer and reception of criminal lunatics, and for purposes connected therewith. (20 Geo. 5, Ch. 19) ..**

257

## Section.

|                                                                                                           |     |
|-----------------------------------------------------------------------------------------------------------|-----|
| 1. Establishment of criminal lunatic asylum in Northern Ireland .. .. .                                   | 257 |
| 2. Construction of references to central criminal lunatic asylum established under 8 & 9 Vict., c. 107 .. | 257 |
| 3. Transfer of criminal lunatics to criminal lunatic asylum, Northern Ireland .. .. .                     | 257 |
| 4. Transfer of criminal lunatics to district lunatic asylums ..                                           | 258 |
| 5. Appointment and removal of officers of criminal lunatic asylum .. .. .                                 | 258 |
| 6. Transfer of officers between criminal lunatic asylum and prisons .. .. .                               | 258 |
| 7. Rules for government of criminal lunatic asylum, and adaptation of enactments .. .. .                  | 258 |
| 8. Provisions as to superannuation of officers .. .. .                                                    | 258 |
| 9. Interpretation .. .. .                                                                                 | 259 |
| 10. Short title .. .. .                                                                                   | 259 |
| SCHEDULE .. .. .                                                                                          | 259 |

## DAIRY PRODUCE.

*See* **MARKETING OF DAIRY PRODUCE.**

|                              |    |
|------------------------------|----|
| DEEDS OF ARRANGEMENT .. .. . | 88 |
|------------------------------|----|

**DRAINAGE : An Act to constitute the Ministry of Finance as a drainage authority for the purpose of the drainage of Lough Neagh and the River Bann, and to abolish certain drainage and navigation authorities ; to empower the said Ministry to carry out and maintain works for the said purpose ; to provide for the making of contributions and the maintenance of certain drainage works by county councils ; to amend the Drainage Act (Northern Ireland), 1925 ; and for other purposes connected therewith. (20 Geo. 5, Ch. 20) .. .. .**

260

## PART I.

## DRAINAGE OF LOUGH NEAGH AND THE RIVER BANN.

## Section.

|                                                                                                                 |     |
|-----------------------------------------------------------------------------------------------------------------|-----|
| 1. Carrying out of drainage of Lough Neagh and River Bann by the Ministry of Finance, and transfer of powers .. | 260 |
| 2. Provisions as to Drainage and Navigation trusts ..                                                           | 261 |
| 3. Preparation of draft scheme by the Ministry ..                                                               | 263 |
| 4. Publication and notice of draft scheme ..                                                                    | 264 |
| 5. Inquiry in respect of objections to draft scheme ..                                                          | 265 |
| 6. Confirmation of draft scheme by the Ministry ..                                                              | 266 |
| 7. Carrying out of the Scheme by the Ministry ..                                                                | 267 |
| 8. Acquisition of land and disposal of surplus land ..                                                          | 268 |
| 9. Mode of fixing amount of compensation ..                                                                     | 269 |
| 10. Protection of fisheries .. .. .                                                                             | 270 |
| 11. Compensation for depreciation of certain properties ..                                                      | 272 |
| 12. Maintenance of works by the Ministry, etc. ..                                                               | 272 |
| 13. Payments out of moneys provided by Parliament ..                                                            | 273 |
| 14. Payments by county councils .. .. .                                                                         | 273 |

|                                                                                                                                                                                                                                                                             | PAGE |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 15. Advances out of Government Loans Fund in respect of county councils' contributions .. ..                                                                                                                                                                                | 274  |
| 16. Duties of county councils as to subsidiary drainage .. ..                                                                                                                                                                                                               | 274  |
| 17. Bye-laws of the Ministry .. ..                                                                                                                                                                                                                                          | 275  |
| 18. Offences and penalties .. ..                                                                                                                                                                                                                                            | 276  |
| 19. Provisions as to notices .. ..                                                                                                                                                                                                                                          | 277  |
| PART II.                                                                                                                                                                                                                                                                    |      |
| AMENDMENT OF THE DRAINAGE ACT (NORTHERN IRELAND), 1925, ETC.                                                                                                                                                                                                                |      |
| 20. Procedure in connection with county councils' drainage schemes .. ..                                                                                                                                                                                                    | 277  |
| 21. Amendment as to expenses of preparation and confirmation of schemes .. ..                                                                                                                                                                                               | 279  |
| 22. The power of County Councils to execute work .. ..                                                                                                                                                                                                                      | 280  |
| 23. Amendment of s. 26 of 15 & 16 Geo. 5, c. 24 .. ..                                                                                                                                                                                                                       | 281  |
| 24. Saving for proceedings on appeals under ss. 12 & 26 of 15 & 16 Geo. 5, c. 24 .. ..                                                                                                                                                                                      | 281  |
| 25. Power of county council to act as trustees of scheme under s. 27 of 15 & 16 Geo. 5, c. 34 .. ..                                                                                                                                                                         | 281  |
| PART III.                                                                                                                                                                                                                                                                   |      |
| SUPPLEMENTAL.                                                                                                                                                                                                                                                               |      |
| 26. Saving for powers of Board of Trade, and as respects Crown foreshore .. ..                                                                                                                                                                                              | 282  |
| 27. Interpretation .. ..                                                                                                                                                                                                                                                    | 282  |
| 28. Short title and construction .. ..                                                                                                                                                                                                                                      | 282  |
| SCHEDULES. .. ..                                                                                                                                                                                                                                                            | 283  |
| "DRUNK IN CHARGE OF MOTOR VEHICLE" :                                                                                                                                                                                                                                        |      |
| New offence substituted for .. ..                                                                                                                                                                                                                                           | 287  |
| ELECTION.                                                                                                                                                                                                                                                                   |      |
| <i>See</i> HOUSE OF COMMONS (METHOD OF VOTING AND REDISTRIBUTION OF SEATS).                                                                                                                                                                                                 |      |
| EXCHEQUER AND FINANCIAL PROVISIONS : An Act to provide for the establishment of a Rating Relief Suspense Account, and to authorise the Ministry of Finance to guarantee the payment of certain agricultural loans, and for purposes connected therewith. (19 Geo. 5, Ch. 3) | 12   |
| EXPIRING LAWS : An Act to continue certain Expiring Laws as respects Northern Ireland. (20 Geo. 5, Ch. 11) ..                                                                                                                                                               | 164  |
| FARES AND RATES TRIBUNAL :                                                                                                                                                                                                                                                  |      |
| Under the Motor Vehicles and Road Traffic Act ..                                                                                                                                                                                                                            | 289  |
| FATAL ACCIDENTS ACTS :                                                                                                                                                                                                                                                      |      |
| Assessment of damages under .. ..                                                                                                                                                                                                                                           | 246  |
| FINANCE : An Act to amend the law relating to Stamp Duty in certain cases, and to make further provision in connection with Finance. (20 Geo. 5, Ch. 2) .. ..                                                                                                               | 109  |
| FISHERIES, PROVISION FOR PROTECTION OF :                                                                                                                                                                                                                                    |      |
| <i>See</i> DRAINAGE.                                                                                                                                                                                                                                                        |      |
| FRIENDLY SOCIETIES :                                                                                                                                                                                                                                                        |      |
| <i>See</i> INDUSTRIAL INSURANCE.                                                                                                                                                                                                                                            |      |



|                                                                                                                                                                                                                                                                                                                                                 |      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| GAMBLING :                                                                                                                                                                                                                                                                                                                                      | PAGE |
| Bankrupt or arranging debtor guilty of .. ..                                                                                                                                                                                                                                                                                                    | 103  |
| GOVERNMENT LOANS : An Act to amend certain enactments relating to Government Loans. (20 Geo. 5, Ch. 5.) ..                                                                                                                                                                                                                                      | 114  |
| GOVERNOR OF NORTHERN IRELAND.                                                                                                                                                                                                                                                                                                                   |      |
| See ORDER IN COUNCIL.                                                                                                                                                                                                                                                                                                                           |      |
| HARBOUR AUTHORITY :                                                                                                                                                                                                                                                                                                                             |      |
| To make bye-laws under the Petroleum (Consolidation) Act .. .. .                                                                                                                                                                                                                                                                                | 173  |
| HOUSE OF COMMONS (METHOD OF VOTING AND REDISTRIBUTION OF SEATS) : An Act to amend the law with respect to the method of voting at Elections of Members to serve in the Parliament of Northern Ireland, and to provide for the Redistribution of Seats at such Elections, and for other purposes connected therewith. (19 Geo. 5, Ch. 5) .. .. . | 15   |
| Section.                                                                                                                                                                                                                                                                                                                                        |      |
| 1. Alteration of method of voting at contested parliamentary elections .. .. .                                                                                                                                                                                                                                                                  | 15   |
| 2. Redistribution of seats .. .. .                                                                                                                                                                                                                                                                                                              | 16   |
| 3. Re-arrangement of polling districts and places, and removal of doubts .. .. .                                                                                                                                                                                                                                                                | 17   |
| 4. Returning officer and place of election in county constituency .. .. .                                                                                                                                                                                                                                                                       | 17   |
| 5. Alteration of scale of election expenses .. .. .                                                                                                                                                                                                                                                                                             | 18   |
| 6. Minor amendments of election laws .. .. .                                                                                                                                                                                                                                                                                                    | 18   |
| 7. Commencement of Act and first elections .. .. .                                                                                                                                                                                                                                                                                              | 19   |
| 8. Repeal and short title .. .. .                                                                                                                                                                                                                                                                                                               | 19   |
| SCHEDULES .. .. .                                                                                                                                                                                                                                                                                                                               | 20   |
| HOUSING : An Act to prolong further the time for the operation of section one of the Housing Act (Northern Ireland), 1927, and to amend certain enactments relating to Housing ; and for other purposes connected therewith. (20 Geo. 5, Ch. 18) .. .. .                                                                                        | 250  |
| Section.                                                                                                                                                                                                                                                                                                                                        |      |
| 1. Amendment of s. 1 of 17 & 18 Geo. 5, c. 15, as to grants in respect of construction of houses .. .. .                                                                                                                                                                                                                                        | 250  |
| 2. Prevention of evasion of requirements for building grant .. .. .                                                                                                                                                                                                                                                                             | 250  |
| 3. Cesser of rate exemption in certain cases .. .. .                                                                                                                                                                                                                                                                                            | 253  |
| 4. Restricted areas for purpose of payment of building grant .. .. .                                                                                                                                                                                                                                                                            | 253  |
| 5. Definition of " house " for purpose of building grant .. .. .                                                                                                                                                                                                                                                                                | 254  |
| 6. Condition attached to loan .. .. .                                                                                                                                                                                                                                                                                                           | 254  |
| 7. Provisions of 62 & 63 Vict., c. 44 to apply .. .. .                                                                                                                                                                                                                                                                                          | 254  |
| 8. Removal of disqualification in case of members and officers of local authorities accepting housing facilities and advances .. .. .                                                                                                                                                                                                           | 255  |
| 9. Interpretation and repeal .. .. .                                                                                                                                                                                                                                                                                                            | 256  |
| 10. Short title and construction .. .. .                                                                                                                                                                                                                                                                                                        | 256  |
| INDICTABLE OFFENCES :                                                                                                                                                                                                                                                                                                                           |      |
| In connection with driving of motor cars .. .. .                                                                                                                                                                                                                                                                                                | 286  |
| INDUSTRIAL ASSURANCE :                                                                                                                                                                                                                                                                                                                          |      |
| See INDUSTRIAL AND PROVIDENT SOCIETIES (AMENDMENT) . (19 GEO. 5, Ch. 4).                                                                                                                                                                                                                                                                        |      |
| INDUSTRIAL ASSURANCE AND FRIENDLY SOCIETIES. (20 Geo. 5, Ch. 8).                                                                                                                                                                                                                                                                                |      |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>INDUSTRIAL AND PROVIDENT SOCIETIES (AMENDMENT) : An Act to amend section twenty-two of the Industrial and Provident Societies Act, 1893, in its application to Northern Ireland. (19 Geo. 5, Ch. 4.)</b> .. ..                                                                                                                                                                                                                                                                                                                                                                                                              | <b>14</b>  |
| <b>INDUSTRIAL ASSURANCE AND FRIENDLY SOCIETIES : An Act to permit the issue by Friendly Societies and Industrial Assurance Companies in Northern Ireland of policies of assurance on the duration of certain lives for a specified period, to validate certain endowment policies issued by such societies and companies, to exclude repayments of premiums under endowment policies from the computation of the maximum sums which may be paid on death by such societies and companies, and to make provision as to the rights of owners of certain endowment policies upon the surrender thereof. (20 Geo. 5, Ch. 8)</b> .. | <b>122</b> |
| <b>INSOLVENT ESTATES :</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |            |
| Administration in bankruptcy of .. ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 98         |
| <b>IRISH FREE STATE :</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |            |
| Export of Dairy produce to .. ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 204        |
| Stamp duty on Solicitors' certificates .. ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 109        |
| <b>ISLE OF MAN :</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |            |
| Export of Dairy produce to .. ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 204        |
| <b>JOINT NURSING AND MIDWIVES COUNCIL.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |            |
| <i>See MIDWIVES AND NURSING HOMES.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |            |
| <b>LOANS GUARANTEE : An Act to amend the Loans Guarantee Acts (Northern Ireland), 1922 to 1928, by increasing the amount of loans which may be guaranteed under the said Acts and extending the period within which the Ministry of Finance may give guarantees thereunder. (20 Geo. 5, Ch. 4)</b> .. ..                                                                                                                                                                                                                                                                                                                       | <b>113</b> |
| <b>LOCAL GOVERNMENT (RATING AND FINANCE) : An Act to grant complete or partial relief from rates in the case of the hereditaments to which the Rating and Valuation (Apportionment) Act (Northern Ireland), 1928, applies ; to extend the application of the said Act so as to enable the aforesaid relief to be granted to certain other hereditaments ; to provide certain grants from the Exchequer of Northern Ireland in aid of the expenses of local authorities, and to discontinue certain other grants ; and for purposes consequential on the matters aforesaid. (20 Geo. 5, Ch. 10)</b> .. ..                       | <b>138</b> |
| <b>PART I.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |            |
| <b>RATING AND VALUATION.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |            |
| <b>Section.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |            |
| 1. Total exemption of agricultural hereditaments from rates                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 139        |
| 2. Relief from rates in respect of industrial and freight-transport hereditaments .. ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 139        |

|                                                                                     | PAGE |
|-------------------------------------------------------------------------------------|------|
| 3. Rates to which exemption and relief are applicable ..                            | 140  |
| 4. Provisions as to rates for local financial year ending on 31st March, 1930 ..    | 141  |
| 5. Amendment of provisions as to rate collection, rate book, and valuation lists .. | 143  |
| 6. Deductions from inclusive rents in respect of rate exemption or relief ..        | 144  |
| 7. Chargeability of certain public health expenses ..                               | 145  |
| 8. Extension of 18 & 19 Geo. 5, c. 30, to certain hereditaments ..                  | 145  |
| 9. Effect of Act upon statutory references to rateable value, etc. ..               | 146  |

## PART II.

## EXCHEQUER GRANTS AND OTHER FINANCIAL PROVISIONS.

|                                                                                                               |     |
|---------------------------------------------------------------------------------------------------------------|-----|
| 10. Exchequer contribution towards deficiency in rates due to provisions of Act ..                            | 147 |
| 11. Allocation and mode of payment of deficiency contribution ..                                              | 148 |
| 12. Amount of deficiency contribution to urban authorities, etc. ..                                           | 148 |
| 13. Amount of deficiency contribution for local authorities other than urban authorities and commissioners .. | 149 |
| 14. Time and manner of payment of deficiency contribution ..                                                  | 153 |
| 15. Information for purposes of deficiency contribution ..                                                    | 153 |
| 16. Power to reduce deficiency contribution ..                                                                | 154 |

## PART III.

## SPECIAL PROVISIONS AS TO FREIGHT-TRANSPORT RELIEF.

|                                                                                             |     |
|---------------------------------------------------------------------------------------------|-----|
| 17. Transmission of benefit of rate-relief in respect of freight-transport hereditaments .. | 154 |
| 18. Provisions as to Freight Rebates Fund ..                                                | 154 |

## PART IV.

## GENERAL.

|                                                 |         |
|-------------------------------------------------|---------|
| 19. Furnishing of information ..                | 155     |
| 20. Protection for existing rate collectors ..  | 156     |
| 21. Regulations for carrying Act into effect .. | 157     |
| 22. Interpretation ..                           | 158     |
| 23. Commencement of Act ..                      | 159     |
| 24. Short title, construction and citation ..   | 159     |
| SCHEDULE ..                                     | 159-163 |

## LONDONDERRY PRISON :

|                                                 |     |
|-------------------------------------------------|-----|
| Portion set aside as Criminal Lunatic Asylum .. | 257 |
|-------------------------------------------------|-----|

## LOUGH NEAGH DRAINAGE.

See DRAINAGE ACT.

## LOWER BANN NAVIGATION.

See DRAINAGE ACT.

## LUNATIC.

See CRIMINAL LUNATIC.

## MARGARINE.

See MARKETING OF DAIRY PRODUCE.

## MARKET RIGHTS :

|                                                                                |     |
|--------------------------------------------------------------------------------|-----|
| May be acquired or extinguished by local authority under Street Trading Act .. | 133 |
|--------------------------------------------------------------------------------|-----|

|                                                                                                                                                                                                                                                                                                                                                                                                                     |            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>MARKETING OF DAIRY PRODUCE : An Act to provide for the maintenance of proper standards of quality in connection with the marketing of butter and cream in certain cases, for the licensing of persons engaged in such marketing, and for the registration of premises where butter or cream is produced or prepared for sale or consignment, and for other purposes connected therewith. (20 Geo. 5, Ch. 14)</b> | <b>200</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|

**PART I.****REGISTRATION OF PREMISES.**

|                                                |     |
|------------------------------------------------|-----|
| <b>Section.</b>                                |     |
| 1. Registration of premises .. .. .            | 201 |
| 2. Conditions relating to registration .. .. . | 202 |
| 3. Provisional registration .. .. .            | 203 |
| 4. Cancellation of registration .. .. .        | 203 |

**PART II.****LICENCES.**

|                                                                                                       |     |
|-------------------------------------------------------------------------------------------------------|-----|
| 5. Restriction on sending butter and cream to Great Britain, Irish Free State and Isle of Man .. .. . | 204 |
| 6. Power of Ministry to grant, revoke and suspend licences .. .. .                                    | 204 |

**PART III.****PROVISIONS AS TO ADULTERANTS, UNCLEAN MILK, AND MOISTURE IN BUTTER.**

|                                                              |     |
|--------------------------------------------------------------|-----|
| 7. Prohibition of adulterants on registered premises .. .. . | 205 |
| 8. Unclean or contaminated milk .. .. .                      | 206 |
| 9. Limit of moisture in butter .. .. .                       | 206 |

**PART IV.****ADMINISTRATION AND LEGAL PROCEEDINGS.**

|                                                                                 |     |
|---------------------------------------------------------------------------------|-----|
| 10. Powers of entry, inspection and sampling .. .. .                            | 206 |
| 11. Power to have samples of butter, cream or milk analysed or examined .. .. . | 209 |
| 12. Power of Ministry to make rules .. .. .                                     | 209 |
| 13. Prosecution of offences and penalties .. .. .                               | 210 |
| 14. Application of fines and payments .. .. .                                   | 211 |
| 15. Provisions as to Appeals .. .. .                                            | 211 |

**PART V.****MISCELLANEOUS AND GENERAL.**

|                                                                 |     |
|-----------------------------------------------------------------|-----|
| 16. Records and returns .. .. .                                 | 211 |
| 17. Use of expressions "creamery" and "creamery butter" .. .. . | 212 |
| 18. Interpretation .. .. .                                      | 212 |
| 19. Short title and commencement .. .. .                        | 212 |

**MARRIED WOMEN :**

|                                           |    |
|-------------------------------------------|----|
| Application of bankruptcy laws to .. .. . | 98 |
|-------------------------------------------|----|

**MATERNITY HOME.***See MIDWIVES AND NURSING HOMES.*

|                                                                                                                                                                                                                      |           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>MIDWIVES AND NURSING HOMES : An Act to amend the Midwives (Ireland) Act, 1918, and to provide for the registration and inspection of nursing homes, and for purposes connected therewith. (19 Geo. 5, Ch. 6).</b> | <b>47</b> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|

## PART I.

## AMENDMENT OF THE MIDWIVES (IRELAND) ACT, 1918.

|                                                                                    |  |    |
|------------------------------------------------------------------------------------|--|----|
| Section.                                                                           |  |    |
| 1. Amendment of s. 1 (2) of Midwives (Ireland) Act, 1918 ..                        |  | 47 |
| 2. Amendments of s. 22 of principal Act .. ..                                      |  | 48 |
| 3. Provisions as to midwives' roll .. ..                                           |  | 49 |
| 4. Regulations as to badges .. ..                                                  |  | 49 |
| 5. Fee payable by midwives certified under principal Act<br>reciprocal terms .. .. |  | 50 |

## PART II.

## REGISTRATION AND INSPECTION OF NURSING HOMES.

|                                                                                                    |    |
|----------------------------------------------------------------------------------------------------|----|
| 6. Registration of nursing homes .. ..                                                             | 50 |
| 7. Cancellation of registration .. ..                                                              | 52 |
| 8. Notice of refusal or of cancellation of registration ..                                         | 52 |
| 9. Regulations .. ..                                                                               | 53 |
| 10. Inspection of nursing homes .. ..                                                              | 54 |
| 11. Penalty for offences against Part II of Act and provision<br>as to offences by companies .. .. | 54 |
| 12. Local authority for Part II of Act .. ..                                                       | 55 |

## PART III.

## SUPPLEMENTAL.

|                                        |    |
|----------------------------------------|----|
| 13. Interpretation .. ..               | 55 |
| 14. Short title and commencement .. .. | 57 |

## MINISTRY OF AGRICULTURE :

|                                                                                   |     |
|-----------------------------------------------------------------------------------|-----|
| Consent of, to prosecutions under the Weeds and Agri-<br>cultural Seeds Act .. .. | 113 |
| Power to make orders under the Weeds and Agricultural<br>Seeds Act .. ..          | 111 |
| Power to make rules under the Marketing of Dairy<br>Produce Act .. ..             | 209 |
| Registration authority under the Marketing of Dairy<br>Produce Act .. ..          | 201 |

## MINISTRY OF COMMERCE :

|                                                                           |     |
|---------------------------------------------------------------------------|-----|
| Power to make bye-laws under the Petroleum (Consoli-<br>dation) Act .. .. | 174 |
| Provision as to apparatus for testing petroleum ..                        | 188 |

## MINISTRY OF EDUCATION :

|                                                                                                                                                                       |     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| Consultation with, by Ministry of Home Affairs, in con-<br>nection with regulations under the Local Government<br>(Rating and Finance) Act .. ..                      | 157 |
| Consultation with, by Ministry of Labour, in connection<br>with courses of instruction for certain insured con-<br>tributors under the Unemployment Insurance Acts .. | 302 |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | PAGE     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| <b>MINISTRY OF FINANCE :</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |          |
| Approval of, as respects regulations made for the purposes of Part II of the Local Government (Rating and Finance) Act .. .. .                                                                                                                                                                                                                                                                                                                                                                                   | 157      |
| Approval of, to appointment of officers of criminal lunatic asylum .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                       | 258      |
| Borrowing by issue of Treasury Bills or otherwise .. 5, 117,                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 222      |
| Constituted a drainage authority for the purpose of the drainage of Lough Neagh and the River Bann ..                                                                                                                                                                                                                                                                                                                                                                                                            | 260      |
| Power to make bye-laws under the Drainage Act ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 275      |
| Power to guarantee certain loans to occupiers of agricultural holdings .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                   | 12       |
| Preparation and approval of schemes under the Drainage Act .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                               | 263      |
| Public Inquiry under the Drainage Act .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 265      |
| <b>MINISTRY OF HOME AFFAIRS :</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |          |
| Appeals to, on refusal by local authority to grant licences under the Petroleum (Consolidation) Act .. ..                                                                                                                                                                                                                                                                                                                                                                                                        | 171      |
| Powers in relation to polling districts, etc. .. ..                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 17       |
| Power to appoint and remove officers of criminal lunatic asylum .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                          | 258      |
| Power to make general traffic regulations .. ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 292      |
| Power to make regulations under the Local Government (Rating and Finance) Act .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                            | 157      |
| Power to make regulations under the Midwives and Nursing Homes Act .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                       | 53       |
| Power to make regulations under the Petroleum (Consolidation) Act .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                        | 173      |
| Power to make regulations under the Street Trading Act .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 136      |
| <b>MINISTRY OF LABOUR :</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |          |
| Consultation with Ministry of Education in connection with courses of instruction for certain insured contributors under the Unemployment Insurance Acts ..                                                                                                                                                                                                                                                                                                                                                      | 302      |
| Powers under the Widows', Orphans' and Old Age Contributory Pensions Act .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                 | 230, 231 |
| <b>MOTOR VEHICLES AND ROAD TRAFFIC : An Act to amend the provisions of the Motor Vehicles (Traffic and Regulation) Act (Northern Ireland), 1926 ; to make further provision for the punishment of certain offences in connection with the driving of motor cars ; to establish a Tribunal to fix fares and rates for certain public service vehicles ; to empower the Ministry of Home Affairs to regulate general traffic on public highways ; and for purposes connected therewith. (20 Geo. 5, Ch. 21) ..</b> |          |
| Section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |          |
| 1. Amendments as to penalties for speed offences ..                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 286      |
| 2. Provisions as to indictable offences in connection with driving of motor cars .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                         | 286      |

|                                                                                          |     |
|------------------------------------------------------------------------------------------|-----|
| 3. Drunk in charge of Motor Vehicles .. ..                                               | 287 |
| 4. Court to consist of resident magistrates .. ..                                        | 287 |
| 5. Amendment as to minimum age for drivers of certain<br>public service vehicles .. ..   | 287 |
| 6. Provisions as to conditions attached to licences for public<br>service vehicles .. .. | 288 |
| 7. Fares and Rates Tribunal .. ..                                                        | 289 |
| 8. Power of Ministry of Home Affairs to make general traffic<br>regulations .. ..        | 292 |
| 9. Short title and construction .. ..                                                    | 292 |

|                                                                                                                                                                   |            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>NOXIOUS WEEDS: An Act to amend the Weeds and<br/>Agricultural Seeds (Ireland) Act, 1909, in its application<br/>to noxious Weeds. (20 Geo. 5, Ch. 3) .. ..</b> | <b>111</b> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|

#### NURSING HOMES.

*See MIDWIVES AND NURSING HOMES.*

#### ORDER IN COUNCIL :

|                                                                                                      |     |
|------------------------------------------------------------------------------------------------------|-----|
| Power to apply provisions of Petroleum (Consolidation)<br>Act to any substance by .. ..              | 187 |
| Power to make rules for government of criminal lunatic<br>asylum, and adaptation of enactments .. .. | 258 |

#### PARLIAMENT :

Elections to.

*See HOUSE OF COMMONS (METHOD OF VOTING AND  
REDISTRIBUTION OF SEATS).*

#### PARLIAMENTARY BOROUGHs AND PARLIAMENTARY COUNTIES :

Areas of.

*See HOUSE OF COMMONS (METHOD OF VOTING AND  
REDISTRIBUTION OF SEATS).*

#### PETROLEUM :

Amending Act of 1929. (19 Geo. 5, Ch. 8.)

Amending Act of 1929 repealed. (20 Geo. 5, Ch. 13.)

Consolidating Act. (20 Geo. 5, Ch. 13.)

*See PETROLEUM (CONSOLIDATION).*

|                                                                                                                                                                                |            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>PETROLEUM (CONSOLIDATION): An Act to consolidate, as<br/>respects Northern Ireland, the enactments relating to<br/>petroleum and petroleum-spirit. (20 Geo. 5, Ch. 13.)</b> | <b>168</b> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|

##### *Licences for Keeping Petroleum-Spirit.*

Section.

|                                                                          |     |
|--------------------------------------------------------------------------|-----|
| 1. Petroleum-spirit not to be kept without a licence ..                  | 169 |
| 2. Provisions as to licences .. ..                                       | 169 |
| 3. Appeals from refusals by local authorities to grant<br>licences .. .. | 171 |
| 4. Fees payable for licences .. ..                                       | 171 |

##### *Labelling of Vessels containing Petroleum-Spirit.*

|                                                                                      |     |
|--------------------------------------------------------------------------------------|-----|
| 5. Provisions as to the labelling of vessels containing<br>.. petroleum-spirit .. .. | 172 |
|--------------------------------------------------------------------------------------|-----|

*Transport of Petroleum-Spirit.*

|                                                                                                |     |
|------------------------------------------------------------------------------------------------|-----|
| 6. Regulations as to the conveyance of petroleum-spirit by road .. ..                          | 173 |
| 7. Bye-laws as to ships loading and carrying petroleum-spirit in harbour .. ..                 | 173 |
| 8. Notice of ships carrying petroleum-spirit to be given on entering harbour .. ..             | 175 |
| 9. Bye-laws as to loading, conveyance and landing of petroleum-spirit in and upon canals .. .. | 176 |

*Special Provisions as to Keeping, Use and Supply of Petroleum-Spirit for Motor Vehicles.*

|                                                                                                                                      |     |
|--------------------------------------------------------------------------------------------------------------------------------------|-----|
| 10. Regulations as to the keeping and use of petroleum-spirit for purpose of motor vehicles, motor boats, aircraft and engines .. .. | 176 |
| 11. Bye-laws as to petroleum filling stations .. ..                                                                                  | 177 |

*Regulations as to Special Classes of Petroleum-Spirit.*

|                                                                                                       |     |
|-------------------------------------------------------------------------------------------------------|-----|
| 12. Regulations as to classes of petroleum-spirit likely to be dangerous or injurious to health .. .. | 180 |
|-------------------------------------------------------------------------------------------------------|-----|

*Accidents in connection with Petroleum-Spirit.*

|                                                                                       |     |
|---------------------------------------------------------------------------------------|-----|
| 13. Notice to be given of accidents connected with petroleum-spirit .. ..             | 181 |
| 14. Inquiry into accidents connected with petroleum-spirit .. ..                      | 181 |
| 15. Coroners' inquests on deaths from accidents connected with petroleum-spirit .. .. | 183 |

*Powers of Inspection, &c.*

|                                                                                  |     |
|----------------------------------------------------------------------------------|-----|
| 16. Powers of government inspectors .. ..                                        | 184 |
| 17. Powers of officers of local authorities as to testing petroleum-spirit .. .. | 185 |
| 18. Warrants to search for and seize petroleum-spirit .. ..                      | 186 |

*Power to apply Act to other Substances.*

|                                                                            |     |
|----------------------------------------------------------------------------|-----|
| 19. Power to make Orders in Council applying Act to other substances .. .. | 187 |
|----------------------------------------------------------------------------|-----|

*Supplementary.*

|                                                                                                                                                                            |     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| 20. Provisions as to apparatus for and method of testing petroleum .. ..                                                                                                   | 188 |
| 21. Laying of regulations before Parliament .. ..                                                                                                                          | 189 |
| 22. Publication of certain bye-laws .. ..                                                                                                                                  | 189 |
| 23. Interpretation .. ..                                                                                                                                                   | 189 |
| 24. Savings .. ..                                                                                                                                                          | 191 |
| 25. Short title, repeal and commencement .. ..                                                                                                                             | 191 |
| FIRST SCHEDULE.—Rates of Fees payable in respect of Licences to keep Petroleum-Spirit .. ..                                                                                | 193 |
| SECOND SCHEDULE.—Test apparatus to be used and Manner of testing Petroleum therewith so as to ascertain the Temperature at which it will give off Inflammable Vapour .. .. | 194 |
| THIRD SCHEDULE.—Enactments repealed .. ..                                                                                                                                  | 200 |

**POLICIES (INDUSTRIAL) :**

|                           |     |
|---------------------------|-----|
| Rights of owners of .. .. | 124 |
|---------------------------|-----|

**PROCEEDINGS.**

*See SUMMARY PROCEEDINGS.*

**PROPORTIONAL REPRESENTATION :**

|                                                                                       |    |
|---------------------------------------------------------------------------------------|----|
| Repealed as regards election of members to House of Commons of Northern Ireland .. .. | 15 |
| Retained for University Constituencies .. ..                                          | 15 |



|                                                                                                                                                                                                                                                                                |             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <b>PUBLIC SERVICE VEHICLES :</b>                                                                                                                                                                                                                                               | <b>PAGE</b> |
| Conditions attached to licences for .. .. .                                                                                                                                                                                                                                    | 288         |
| <i>See ALSO MOTOR VEHICLES AND ROAD TRAFFIC.</i>                                                                                                                                                                                                                               |             |
| <b>RATING.</b>                                                                                                                                                                                                                                                                 |             |
| <i>See LOCAL GOVERNMENT (RATING AND FINANCE).</i>                                                                                                                                                                                                                              |             |
| <b>RATING RELIEF SUSPENSE ACCOUNT :</b>                                                                                                                                                                                                                                        |             |
| <i>See EXCHEQUER AND FINANCIAL PROVISIONS.</i>                                                                                                                                                                                                                                 |             |
| <b>REDISTRIBUTION OF SEATS.</b>                                                                                                                                                                                                                                                |             |
| <i>See HOUSE OF COMMONS (METHOD OF VOTING AND REDISTRIBUTION OF SEATS).</i>                                                                                                                                                                                                    |             |
| <b>RELATION BACK OF ASSIGNEE'S TITLE IN BANKRUPTCY ..</b>                                                                                                                                                                                                                      | <b>92</b>   |
| <b>RESIDENT MAGISTRATE :</b>                                                                                                                                                                                                                                                   |             |
| Appeal to, under Midwives and Nursing Homes Act ..                                                                                                                                                                                                                             | 53          |
| Appeal to, under Street Trading Act .. ..                                                                                                                                                                                                                                      | 130         |
| Offences under Motor Vehicles and Road Traffic Act to be tried by .. .. .                                                                                                                                                                                                      | 287         |
| <b>ROAD TRAFFIC :</b>                                                                                                                                                                                                                                                          |             |
| <i>See MOTOR VEHICLES.</i>                                                                                                                                                                                                                                                     |             |
| <b>ROYAL ULSTER CONSTABULARY.</b>                                                                                                                                                                                                                                              |             |
| <i>See CONSTABULARY.</i>                                                                                                                                                                                                                                                       |             |
| <b>SCHOOL TEACHERS (OATH AND DECLARATION) : An Act to amend sub-section (2) of section five of the Local Government Act (Northern Ireland), 1922, and the Promissory Oaths Act (Northern Ireland), 1923, in their application to school teachers. (20 Geo. 5, Ch. 6) .. ..</b> | <b>115</b>  |
| <b>SECURED CREDITORS .</b>                                                                                                                                                                                                                                                     |             |
| Proof of debts by .. .. .                                                                                                                                                                                                                                                      | 107         |
| <b>SOLICITORS' CERTIFICATES :</b>                                                                                                                                                                                                                                              |             |
| Relief from double stamp duty on .. ..                                                                                                                                                                                                                                         | 109         |
| <b>STREET TRADING : An Act to enable certain local authorities to regulate the carrying on of trading in streets within their areas, and for purposes connected therewith. (20 Geo. 5, Ch. 9) .. .. .</b>                                                                      | <b>127</b>  |
| Section.                                                                                                                                                                                                                                                                       |             |
| 1. Licensing of street traders .. ..                                                                                                                                                                                                                                           | 127         |
| 2. Applications for licences, etc. .. ..                                                                                                                                                                                                                                       | 128         |
| 3. Fees for licences .. ..                                                                                                                                                                                                                                                     | 130         |
| 4. Duration of licences .. ..                                                                                                                                                                                                                                                  | 130         |
| 5. Appeals against refusal or revocation of licences ..                                                                                                                                                                                                                        | 130         |
| 6. Bye-laws as to trading under licences .. ..                                                                                                                                                                                                                                 | 131         |
| 7. Power of local authority to make charges for certain services .. ..                                                                                                                                                                                                         | 132         |
| 8. Power of licensees to employ other persons .. ..                                                                                                                                                                                                                            | 132         |

|                                                                                                 | PAGE |
|-------------------------------------------------------------------------------------------------|------|
| 9. Penalties and legal proceedings .. .. .                                                      | 132  |
| 10. Power of local authority to acquire or extinguish market rights for purposes of Act .. .. . | 133  |
| 11. Application of Act to county boroughs and non-municipal towns .. .. .                       | 136  |
| 12. Expenses of local authority, power to borrow, and application of fees.. .. .                | 137  |
| 13. Powers of Act cumulative .. .. .                                                            | 138  |
| 14. Saving for sale of farm produce .. .. .                                                     | 138  |
| 15. Short title .. .. .                                                                         | 138  |

#### SUMMARY PROCEEDINGS :

|                                            |            |
|--------------------------------------------|------------|
| Under the Drainage Act .. .. .             | 276        |
| „ „ Marketing of Dairy Produce Act .. .. . | 210        |
| „ „ Midwives and Nursing Homes Act .. .. . | 48, 50, 54 |
| „ „ Petroleum (Consolidation) Act .. .. .  | 173        |
| „ „ Street Trading Act .. .. .             | 132        |

#### SUPREME COURT :

|                                                                       |     |
|-----------------------------------------------------------------------|-----|
| Jurisdiction and procedure under the Adoption of Children Act .. .. . | 216 |
|-----------------------------------------------------------------------|-----|

#### TRADING.

*See* STREET TRADING.

#### TRAFFIC.

*See* MOTOR VEHICLES AND STREET TRAFFIC.

#### UNEMPLOYMENT INSURANCE.

*See* UNEMPLOYMENT INSURANCE (AGREEMENT). (19 GEO. 5, CH. 1.)

UNEMPLOYMENT INSURANCE (AMENDMENT). (20 GEO. 5, CH. 22.)

UNEMPLOYMENT INSURANCE (STATE CONTRIBUTION). (20 GEO. 5, CH. 12.)

UNEMPLOYMENT INSURANCE (TRANSITIONAL PROVISIONS AMENDMENT). (19 GEO. 5, CH. 7.)

UNEMPLOYMENT INSURANCE (AGREEMENT): An Act to confirm and give effect to an agreement made between the Treasury of the United Kingdom and the Ministry of Finance for Northern Ireland for continuing the agreement set forth in the Unemployment Insurance (Agreement) Act (Northern Ireland), 1926. (19 Geo. 5, Ch. 1) 1

UNEMPLOYMENT INSURANCE (AMENDMENT): An Act to amend the Unemployment Insurance Acts (Northern Ireland), 1920 to 1929. (20 Geo. 5, Ch. 22.) 293

#### Section.

|                                      |     |
|--------------------------------------|-----|
| 1. Minimum age for insurance .. .. . | 293 |
| 2. Rates of benefit .. .. .          | 293 |

|                                                                                                                     | PAGE |
|---------------------------------------------------------------------------------------------------------------------|------|
| 3. Amendment of s. 6 of principal Act .. ..                                                                         | 295  |
| 4. Amendment as to disqualification for receipt of benefit ..                                                       | 295  |
| 5. Provision as to notification by employers of vacant situations .. ..                                             | 296  |
| 6. Repeal of fourth statutory condition .. ..                                                                       | 297  |
| 7. Amendment of first statutory condition for receipt of benefit .. ..                                              | 297  |
| 8. Examination and determination of claims .. ..                                                                    | 297  |
| 9. Provision as to payment of benefit .. ..                                                                         | 299  |
| 10. Amendment as to arrangements with associations of employed persons .. ..                                        | 299  |
| 11. Amendment with respect to supplementary schemes ..                                                              | 300  |
| 12. Provisions with respect to payment out of unemployment fund of travelling expenses of insured contributor .. .. | 300  |
| 13. Application of Unemployment Insurance Acts to employment abroad .. ..                                           | 300  |
| 14. Crediting of contributions in respect of persons continuing education .. ..                                     | 301  |
| 15. Provision of approved courses of instruction for persons under eighteen .. ..                                   | 302  |
| 16. Further amendment of s. 18 (2) of 18 & 19 Geo. 5, c. 3 ..                                                       | 303  |
| 17. Minor amendments .. ..                                                                                          | 304  |
| 18. Transitory provisions .. ..                                                                                     | 304  |
| 19. Interpretation, repeal and short title .. ..                                                                    | 304  |
| 20. Commencement and duration .. ..                                                                                 | 306  |
| SCHEDULES :                                                                                                         |      |
| First Schedule.—Weekly Rates of Unemployment Benefit in case of Persons under the Age of Twenty-one Years .. ..     | 306  |
| Second Schedule.—Minor Amendments .. ..                                                                             | 306  |
| Third Schedule.—Enactments repealed .. ..                                                                           | 309  |

|                                                                                                                                                                                                                                                                                                     |     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| UNEMPLOYMENT INSURANCE (STATE CONTRIBUTION) : An Act to amend the Unemployment Insurance Acts (Northern Ireland), 1920 to 1929, with respect to the amount of the contribution to be paid under those Acts out of moneys provided by the Parliament of Northern Ireland. (20 Geo. 5, Ch. 12.) .. .. | 167 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|

|                                                                                                                                                                                                                                                                                         |    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| UNEMPLOYMENT INSURANCE (TRANSITIONAL PROVISIONS AMENDMENT) : An Act to amend sub-section (2) of section eighteen of the Unemployment Insurance Act (Northern Ireland), 1928, by extending to twenty-four months the period of twelve months therein mentioned. (19 Geo. 5, Ch. 7) .. .. | 57 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|

#### UNIVERSITY CONSTITUENCY.

*See* PROPORTIONAL REPRESENTATION.

#### URBAN DISTRICT COUNCIL :

|                                                                                |     |
|--------------------------------------------------------------------------------|-----|
| As local authority for the purposes of the Petroleum (Consolidation) Act .. .. | 169 |
| As local authority for the purposes of the Street Trading Act .. ..            | 128 |
| Power to make bye-laws as to petroleum filling stations .. ..                  | 177 |

#### VOTING :

|                                                                     |    |
|---------------------------------------------------------------------|----|
| At contested parliamentary elections, alteration of method of .. .. | 15 |
|---------------------------------------------------------------------|----|

## WIDOWS', ORPHANS' AND OLD AGE CONTRIBUTORY PENSIONS :

An Act to amend the Widows' Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1925, section three of the Old Age Pensions Act, 1908, section three of the Old Age Pensions Act, 1919, the enactments regulating the right to become a voluntary contributor under the National Health Insurance Acts (Northern Ireland), 1924 to 1928, and the mode of collecting contributions under those Acts, and section ninety-six of the National Health Insurance Act, 1924; and to provide for the exclusion of payments on account of widows' or orphans' pensions in the assessment of damages under the Fatal Accidents Acts, 1846 to 1908. (20 Geo. 5, Ch. 17)

224

## Section.

|                                                                                                                                    |     |
|------------------------------------------------------------------------------------------------------------------------------------|-----|
| 1. Extension of right to widows' pensions .. ..                                                                                    | 224 |
| 2. Extension of right to old age pensions in the case of certain women .. ..                                                       | 227 |
| 3. Provisions as to pensioners and insured persons in His Majesty's dominions outside Northern Ireland .. ..                       | 228 |
| 4. Amendment of financial provisions .. ..                                                                                         | 231 |
| 5. Amendment as to right of widows or wives of men who had attained sixty at date of marriage to widows' or old age pensions .. .. | 232 |
| 6. Amendment with respect to statutory conditions as to pensions .. ..                                                             | 232 |
| 7. Amendment of s. 1 of principal Act with respect to duration of additional allowance and orphans' pensions .. ..                 | 235 |
| 8. Amendment of s. 6 of principal Act .. ..                                                                                        | 235 |
| 9. Amendment with respect to persons employed in excepted employments .. ..                                                        | 236 |
| 10. Amendment of ss. 18 and 19 of principal Act .. ..                                                                              | 237 |
| 11. Disqualifications, &c. .. ..                                                                                                   | 238 |
| 12. Administration of pensions in case of certain lunatics .. ..                                                                   | 238 |
| 13. Residential qualification in case of certain pensions .. ..                                                                    | 239 |
| 14. Amendment with respect to double pensions .. ..                                                                                | 239 |
| 15. Repeal of s. 25 of principal Act .. ..                                                                                         | 240 |
| 16. Amendment of provisions applicable where a person entitled to pension receives outdoor relief .. ..                            | 240 |
| 17. Amendment of s. 28 of principal Act .. ..                                                                                      | 241 |
| 18. Provisions as to awards and decisions and deputy umpire .. ..                                                                  | 241 |
| 19. Amendment of s. 30 of principal Act .. ..                                                                                      | 243 |
| 20. Amendment of s. 35 of principal Act, and s. 96 of Insurance Act .. ..                                                          | 245 |
| 21. Extension of classes of persons who may become voluntary contributors .. ..                                                    | 245 |
| 22. Exclusion of widows' and orphans' pensions in assessment of damages .. ..                                                      | 246 |
| 23. Provisions as to sickness or other benefit paid to person entitled to old age pension .. ..                                    | 247 |
| 24. Application of principal Act to adopted children .. ..                                                                         | 247 |
| 25. Amendment of s. 8 of the Insurance Act .. ..                                                                                   | 247 |
| 26. Short title, commencement, construction and repeal .. ..                                                                       | 248 |
| SCHEDULES :                                                                                                                        |     |
| First Schedule.—Disqualifications for Receipt of Pension .. ..                                                                     | 248 |
| Second Schedule.—Enactments repealed .. ..                                                                                         | 249 |

# TABLE IV

STATUTES OF THE IMPERIAL PARLIAMENT  
passed in the year 1929 (19 GEO. 5 & 20 GEO. 5).  
Applicable in Northern Ireland in whole or in part.

| Chapter.         | Short Title.                                                            |
|------------------|-------------------------------------------------------------------------|
| 19 Geo. 5.<br>14 | Northern Ireland Land Act, 1929.                                        |
| 18               | Unemployment Insurance (Northern Ireland Agreement) Act, 1929.          |
| 21               | Finance Act, 1929.                                                      |
| 23               | Companies Act, 1929. [ <i>see ss. 79 (5), 290, 320, 337 (4), 384</i> ]. |
| 27               | Savings Bank Act, 1929.                                                 |
| 29               | Government Annuities Act, 1929.                                         |
| 31               | Pharmacy Act, 1929.                                                     |
| 20 Geo. 5.<br>12 | Expiring Laws Continuance Act, 1929 [ <i>see s. 2 (2)</i> ].            |

*N.B.—The references to sections of the above Acts should not be taken as being exhaustive.*

# TABLE V.

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## LOCAL AND PRIVATE ACTS.

### A TABLE OF THE TITLES OF THE LOCAL AND PRIVATE ACTS PASSED DURING THE SESSION (ARRANGED ACCORDING TO CHAPTER) 20 GEO. 5.

ROYAL ASSENT, 11TH JULY, 1929.

- i. An Act to confer further Powers on the Belfast City and District Water Commissioners. (*Belfast Water*.)
  - ii. An Act to empower the Urban District Council of Newry to contribute towards the cost of the Repair and Improvement of the Newry Canal and Navigation ; to acquire the Debenture and Mortgage Debts charged on the Newry Canal and Navigation, and to borrow money and to authorise the conversion of the Debenture Mortgage Debts charged on the Newry Canal and Navigation into irredeemable securities and for other purposes. (*Newry Urban District Council and Newry Port and Harbour Trust*).
  - iii. An Act to authorise the Mayor, Aldermen and Burgesses of the City of Londonderry to construct a new bridge across the River Foyle within the City and to remove the existing Carlisle Bridge ; and for other Purposes. [*Londonderry Corporation (New Bridge)*].
  - iv. An Act to confer powers on the Council of the Borough of Bangor in the County of Down with respect to sewerage construction and sewage disposal works ; to acquire lands for recreation purposes ; to make further provisions in regard to the electricity undertaking of the Council ; to make further provisions for the improvement, health and good government of the Borough ; to confer various powers on the Council ; and for other purposes. (*Bangor Borough Council*).
  - v. An Act to confirm a Provisional Order of the Ministry of Home Affairs relating to the Urban District of Carrickfergus. [*Ministry of Home Affairs Provisional Order Confirmation (Carrickfergus Water)*].
-

# THE LOCAL ACTS

20 GEO. 5.

## CHAPTER I.

An Act to confer further Powers on the Belfast  
City and District Water Commissioners.

A.D. 1929.

[11th July, 1929].

WHEREAS by the Belfast Water Acts 1840 to 1924 the Belfast City and District Water Commissioners (hereinafter called "the Commissioners") were incorporated and by those Acts their powers were from time to time regulated and extended.

Preamble.

And whereas by the Belfast Water Act 1893 (hereinafter called "the Act of 1893") the Commissioners were authorised to construct a Storage Reservoir in the Valley of the Kilkeel River (hereinafter called "the Kilkeel Reservoir") and other works incidental thereto.

And whereas by the Belfast Water Act 1903 (hereinafter called "the Act of 1903") the Commissioners were authorised to alter the position of the embankment of the Kilkeel Reservoir.

And whereas it is expedient that the position of the embankment of the Kilkeel Reservoir authorised by the Act of 1903 should be altered.

And whereas the sums of money which the Commissioners were authorised to borrow under the Belfast Water Acts 1840 to 1920 are insufficient for the purposes of the construction of the Kilkeel Reservoir and for the other purposes of their water undertaking and it is expedient that the Commissioners should be authorised to borrow further moneys for the construction of the said Reservoir and Works connected therewith and for the general purposes of their undertaking.

And whereas it is expedient that the Commissioners should be authorised to make provision with respect to the establishment and maintenance of a sinking Fund for

A.D. 1929.

the repayment of money to be borrowed under this Act and to postpone the commencement of such Sinking Fund until the completion of the Kilkeel Reservoir and Works connected therewith for the construction of which the money is authorised to be borrowed.

And whereas by the Belfast Water Acts the Commissioners are authorised to levy a domestic rate on dwelling houses limited to four shillings in each pound of annual value and a public rate on all other kinds of property equal to one-fourth part of the amount in the pound payable for the domestic rate from time to time and a rate of two pence in each pound of annual value on agricultural land in the occupation of one person.

And whereas by virtue of Section 1 of the Trustee Act 1893 the Water Stock issued by the Commissioners is a security in which Trust Funds may be lawfully invested provided that the rates levied by the Commissioners do not exceed eighty per cent. of the amount of the rates which they are authorised to levy.

And whereas in order to meet the increased charge on the revenue of the water undertaking involved by the construction of the Kilkeel Reservoir and other Works and to secure that the Water Stock of the Commissioners shall continue to be a security in which Trust Funds may be invested it is expedient that the Commissioners should be enabled to increase the domestic and public rates they are authorised to levy.

And whereas it is expedient that the Commissioners should be authorised to make regulations from time to time prescribing the design and material of pipes fittings and other apparatus and the charges for the examination and testing of such pipes fittings and other apparatus.

And whereas the Corporation of the City of Belfast propose to carry out alterations to the Ormeau Bridge in the City of Belfast.

And whereas it is expedient that the alterations to the said Bridge should be made in such manner as to render the Bridge capable of carrying the water mains of the Commissioners and it is expedient that the Commissioners should be authorised to make contributions towards the cost thereof and towards the cost of any other Works constructed by the said Corporation



in such manner as to benefit the Commissioners water undertaking. A.D. 1929.

And whereas it is expedient that further provision should be made for the prevention of waste and for enabling the Commissioners to prosecute and obtain penalties from owners of premises who waste or permit the waste of water.

And whereas the Commissioners' existing office accommodation has become inadequate for the proper administration of their undertaking and it is expedient that they should be authorised to construct and furnish other offices and to sell, let on lease or fee farm their existing offices at 53 Royal Avenue in the City of Belfast.

And whereas it is expedient that the Commissioners should be authorised to apply moneys borrowed under the authority of the Belfast Water Acts 1840 to 1924 and this Act in acquiring by agreement any lands and easements required for the general purposes of their undertaking.

And whereas it is expedient that the other powers in this Act contained should be conferred on the Commissioners.

And whereas plans and sections showing the lines and levels of the work authorised by this Act and also a Book of Reference thereto containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the respective Clerks of the Peace for the County of Down and City of Belfast the Clerk of the Rural District of Kilkeel and Secretary of Down County Council and are hereinafter respectively referred to as the deposited plans sections and Book of Reference.

And whereas the purposes of this Act cannot be effected without the authority of the Parliament of Northern Ireland.

MAY IT THEREFORE PLEASE YOUR MAJESTY

That it may be enacted and be it enacted by the King's Most Excellent Majesty and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled and by the authority of the same as follows (that is to say):

A.D. 1929.  
Short Title.

1. This Act may be cited as the Belfast Water Act (Northern Ireland) 1929.

Citation of  
Acts.

2. This Act and the Belfast Water Acts 1840 to 1924 may be cited together as the Belfast Water Acts 1840 to 1929 and the Belfast Water Acts 1840 to 1924 as altered and amended by this Act and the Acts incorporated therewith and this Act shall be read and construed together as one Act.

Interpre-  
tation.

3. In this Act the several words and expressions to which meanings are assigned by the Belfast Water Acts 1840 to 1924 have the same respective meanings unless there be something in the subject or context repugnant to such construction.

And in this Act :

“The Act of 1865 ” means the Belfast Water Act 1865.

“The Act of 1884 ” means the Belfast Water Act 1884.

“The Act of 1893 ” means the Belfast Water Act 1893.

“The Act of 1899 ” means the Belfast Water Act 1899.

“The Act of 1903 ” means the Belfast Water Act of 1903.

“The Act of 1912 ” means the Belfast Water Act 1912.

“The Act of 1920 ” means the Belfast Water Act 1920.

“The Act of 1923 ” means the Belfast Water Act 1923.

“The Act of 1924 ” means the Belfast Water Act 1924.

“The Corporation ” means the Lord Mayor Aldermen and Citizens of the City of Belfast.

“The Commissioners ” means the Belfast City and District Water Commissioners acting under the Belfast Water Acts 1840 to 1924 and this Act.

“The Ministry of Home Affairs ” means the Ministry of Home Affairs for Northern Ireland.

A.D. 1929.

4. The Commissioners may apply for the purposes of this Act any moneys borrowed or to be borrowed by them under the Belfast Water Acts 1840 to 1924.

Application  
of existing  
funds to  
purposes  
of Act.

5. The Commissioners may from time to time borrow on Mortgage of the rates to be assessed and levied under the authority of the Belfast Water Acts 1840 to 1924 and this Act and the other revenues of the undertaking in addition to the moneys they are already authorised to borrow such further sum or sums of money not exceeding the sum of nine hundred and fifty thousand pounds as shall from time to time be requisite for the purposes of this Act and the general purposes of the undertaking. And they may grant mortgages for securing the money so borrowed charged on the said rates and revenues. Provided always that the amount borrowed previous to the passing of this Act and remaining due at that date under the authority of the Belfast Water Acts 1840 to 1924 and the interest thereon shall be charged upon the rates leviable or the income derivable under the Belfast Water Acts 1840 to 1924 and this Act in the same manner and to the same extent as such amount was charged upon the rates leviable or the income derivable under the Belfast Water Acts 1840 to 1924.

Power  
to borrow  
further  
monies.

6. The following sections of the Acts of 1899, 1912, 1920, 1923 and 1924 shall with all necessary modifications extend and apply to the exercise of the powers of this Act as if the same were re-enacted in this Act (namely):—

Application  
of existing  
Acts to  
exercise of  
borrowing  
powers.

The Act of 1899—

- Section 39 (Appointment of receiver);
- Section 40 (Application of Commissioners  
Clauses Act 1847 with respect to mortgages);
- Section 42 (Power to re-borrow);
- Section 43 (Mortgages to have priority over all  
other claims against Commissioners);
- Section 44 (Repayment of Mortgages);
- Section 45 (Power to issue stock);
- Section 47 (Return to Local Government Board);
- Section 48 (Application of moneys);

The Act of 1912—

- Section 25 (Borrowing on cash credit);
- Section 26 (Temporary investment of borrowed  
money);
- Section 28 (Defining statutory securities);

A.D. 1929.

The Act of 1920—

Section 11 (Temporary application of Sinking  
Fund in lieu of borrowing);

Section 12 (Bearer stock certificates);

The Act of 1923—

Section 10 (Power to issue Bills and Promissory  
Notes);

The Act of 1924—

Section 4 (Power to borrow from Bank);

Section 6 (Power to re-pay stock before redemp-  
tion date);Existing  
mortgages  
to have  
priority.

7. All Mortgages granted by the Commissioners in pursuance of the powers of any Act of Parliament before the passing of this Act and subsisting at the passing hereof shall during the continuance of such mortgages and subject to the provisions of the Act under which such mortgages were respectively granted have priority over any mortgages granted by the Commissioners by virtue of this Act.

Sinking  
Fund.

8. The Commissioners shall pay off the moneys borrowed under this Act within a period of sixty years from the respective dates of borrowing the same by equal yearly or half-yearly instalments of principal or principal and interest or by means of a sinking fund appropriated for that purpose and the accumulations thereof calculated at the rate of four per centum per annum which sinking fund shall be such as the Ministry of Home Affairs having regard to the provisions of this section approve. The Sinking Fund and the accumulations thereof shall be applied by the Commissioners in and towards the redemption and extinction or the purchase and extinction of mortgages or stock issued by the Commissioners and outstanding or in the purchase of statutory securities and the Commissioners may also from time to time vary any such investments.

Provided that the redemption and extinction or the purchase and extinction of any such mortgage or stock shall not relieve the Commissioners from the obligation to make and maintain the accumulations hereinbefore referred to:

Provided further that it shall not be obligatory upon the Commissioners to commence repayment (by sinking fund or otherwise) of any moneys to be borrowed for the

construction of the Kilkeel Reservoir and works connected therewith until the completion of that Reservoir and those works or until the expiration of ten years from the passing of this Act whichever shall first happen.

A.D. 1929.  
—

9. Subject to the provisions of this Act the Commissioners may make construct and maintain in the lines and according to the levels shown on the deposited plans and sections the work hereinafter referred to :

Power to  
construct  
work.

“An alteration to the Storage Reservoir (No. 1) authorised by the Belfast Water Act 1893 as altered by the Belfast Water Act 1903 by the substitution for the embankment by the latter Act authorised of an embankment (to be situate on land belonging to the Commissioners and one hundred yards or thereabouts north of the embankment authorised by the said Act of 1903) commencing in the Townland of Carri-genagh Upper and Parish of Kilkeel at a point one hundred and forty-seven yards or thereabouts measured in a south-easterly direction from the south east corner of the valve house on the east side of the Kilkeel River belonging to the Commissioners and extending from the said point in a westerly direction for a distance of five hundred and one yards or thereabouts and terminating in the townland of Ballinran Upper and Parish of Kilkeel at a point four hundred and fifty-one yards or thereabouts measured in a west-south-westerly direction from the said south east corner of the said valve house and the altered Reservoir will extend from the said embankment to a point three thousand two hundred and twenty three yards or thereabouts measured in a northerly direction from the said south-east corner of the valve house above referred to. The said Reservoir as altered and the said embankment will be situate in the Townlands of Mourne Mountains East, Ballinran Upper and Carri-genagh Upper and Parish of Kilkeel and County of Down.”

10. Subject to the provisions of this Act and the Act of 1903 the work to be constructed under the authority of this Act shall for all purposes whatsoever be and be

New work to  
form part of  
Commis-  
sioners  
undertaking.

A.D. 1929.  
—

deemed part of the undertaking of the Commissioners and of the works authorised by the Act of 1893 as if it had been authorised by that Act.

Powers to deviate laterally and vertically in construction of work.

11. Subject to the provisions of this Act the Commissioners may in the construction of the work by this Act authorised deviate from the lines or position thereof as shown on the deposited plans to any extent within the limits of lateral deviation defined on those plans and the Commissioners may also deviate from the levels of the work by this Act authorised as delineated on the deposited sections to any extent not exceeding three feet upwards and to any extent downwards. Provided that if it be found necessary or expedient in the construction of the work by this Act authorised to alter the situation of any dam embankment or retaining wall the Commissioners shall not construct such dam embankment or retaining wall of a greater height above the general surface of the ground than three feet above the height thereof shown on the deposited sections.

Altering limit of water rates.

12. Section 51 (limit of rates) of the Act of 1884 and Section 34 (Altering limit of water rates) of the Act of 1912 and Section 18 (Altering limit of water rates) of the Act of 1920 are hereby amended and shall be read and have effect as if the limit of domestic rate mentioned in sub-section (A) of the said Section 51 of the Act of 1884 the said Section 34 of the Act of 1912 and the said Section 18 of the Act of 1920 were four shillings and sixpence instead of four shillings.

Commissioners may pay for new Offices out of borrowed money.

13. The Commissioners may erect complete and furnish suitable buildings and offices for the purpose of administering and carrying on their undertaking and defray the cost thereof out of moneys to be borrowed under the authority of this Act Provided that such buildings and offices shall be erected on lands belonging to the Commissioners or on lands to be purchased by agreement and situate in the City and County Borough of Belfast.

Power to sell or let existing offices.

14. The Commissioners may offer for sale by public auction or by tender after advertisement and sell their present offices at 53 Royal Avenue in the City of Belfast on such conditions as they think fit and the same shall not be deemed superfluous lands within the meaning of the

Lands Clauses Acts or they may let the same in fee farm or for any term of years and at such rent and subject to such terms and conditions as they may think fit Provided that all moneys which shall be received by the Commissioners by way of purchase money or fine shall be applied by them to purposes to which capital moneys are applicable under the Belfast Water Acts and all moneys received by way of rent shall be applied as part of the revenue of the Commissioners.

A.D. 1929.  
—

15. Notwithstanding any bye-laws made by the Commissioners under the authority of the Belfast Water Acts 1840 to 1924 the provisions of Section 58 of the Act of 1865 and Section 40 of the Act of 1912 shall continue to have full force and effect and the Commissioners may from time to time by resolution make regulations to enable them to exercise the powers contained in the said Sections.

Power to  
make regula-  
tions as to  
pipes and  
fittings.

16. In the event of the Corporation at any time hereafter altering the Ormeau Bridge in the City and County Borough of Belfast and at the request of the Commissioners making such alterations in a manner which will render the said bridge capable of carrying the Water Mains of the Commissioners, or in the event of the Corporation at any time hereafter carrying out any other works and at the like request executing the same in a manner beneficial to the Commissioners' Undertaking, the Commissioners may make to the Corporation out of borrowed money or out of the Revenues of the Undertaking a contribution towards the cost of such alterations or works upon such basis of apportionment as may be agreed between the Commissioners and the Corporation.

Power to  
make contri-  
butions  
towards the  
cost of  
certain  
works to be  
executed by  
the Belfast  
Corporation.

In case any dispute or difference shall arise between the Commissioners and the Corporation in reference to the basis of apportionment or the amount of any such contribution such dispute or difference may be referred to the determination of an Arbitrator to be mutually agreed on or in default of such agreement to an Arbitrator to be nominated by the Ministry of Home Affairs whose decision thereon shall be final and conclusive ; and the costs and expenses of such reference and the Award thereunder shall be borne by the Commissioners and the Corporation in equal shares.

A.D. 1929.

Additional  
powers of de-  
fraying ex-  
penses of  
Water  
Supply  
Conferences.

**17.** In addition to the powers conferred upon the Commissioners by Section 30 of the Act of 1912 the Commissioners may defray from the revenues of their undertaking the reasonable expenses incurred by them in connection with the Annual Meeting of the British Waterworks Association if and when such Meeting is held in Belfast Provided that such expenses shall not in any one year exceed the sum of £100 except the consent of the Ministry of Home Affairs shall have been first obtained.

Regulations  
for pre-  
venting  
waste of  
water.

**18.** For the prevention of waste by neglect or failure to repair pipes or fittings the provisions of Section 17 of the Water Works Clauses Act 1863 shall upon proof by the Commissioners

(a) that the owner of premises supplied with water has been notified of such waste and

(b) that such owner is liable for such repairs

apply to such owner in addition to the persons mentioned in the said section.

Power to  
acquire lands  
and ease-  
ments by  
agreement.

**19.** The Commissioners may acquire by agreement any lands and easements required for the general purposes of their undertaking and may pay for such lands and easements out of moneys authorised to be borrowed by this Act.

Costs of Act

**20.** All costs charges and expenses of and incident to the preparing obtaining and passing of this Act or otherwise in relation thereto (as the same shall be taxed by the taxing officer of the Parliament of Northern Ireland) shall be paid by the Commissioners out of the rates authorised to be levied or the moneys authorised to be borrowed by the Belfast Water Acts 1840 to 1924 and this Act and if paid out of borrowed money shall be repaid within five years from the passing of this Act.



**CHAPTER ii.**

**A.D. 1929.**

An Act to empower the Urban District Council of Newry to contribute towards the cost of the Repair and Improvement of the Newry Canal and Navigation, to acquire the Debenture and Mortgage Debts charged on the Newry Canal and Navigation, and to borrow money and to authorise the conversion of the Debenture Mortgage Debts charged on the Newry Canal and Navigation into irredeemable securities and for other purposes. [11th July, 1929.]

WHEREAS the Newry Port and Harbour Trustees (in this Act called "The Trust") were incorporated by the Newry Port and Harbour Trust Act, 1901 (in this Act called "the Act of 1901").

And whereas in pursuance of the provisions of the Act of 1901 the undertaking called the Newry Navigation became vested in the Trust.

And whereas the Newry Navigation is now subject to the following incumbrances :—

- (a) the sum of £72,000 secured under the provisions of the Newry Navigation Act 1897, by a Trust Deed dated the 15th day of October, 1897, and made between the Newry Navigation Company of the one part and Frank Dillon and James Francis Erskine of the other part, and Debentures issued in pursuance of the said Act and Trust Deed, which sum is repayable on or before the 5th day of October, 1947, and
- (b) the sum of £26,400, secured under the provisions of the Act of 1901 by an Indenture of Mortgage dated the 7th day of October, 1902, and made between the Newry Port and Harbour Trustees of the one part and the Scottish Provident Institution of the other part, which sum is repayable within thirty-five years from the borrowing thereof, under the provisions of the Act of 1901.

A.D. 1929.

And whereas other sums of money were borrowed by the Trust from the Scottish Provident Institution under the provisions of the Act of 1901, and the same have not been repaid.

And whereas the Newry Canal, part of the said undertaking, is in a bad state of repair and has lately become unfit for navigation by reason of damage caused by storm.

And whereas the said Canal does not admit Vessels large enough for the economic carriage or goods under modern conditions, and for this reason the traffic has diminished and the income of the Trust has been and is insufficient to meet the expenses of maintenance and working and the interest payable on the said Debenture and Mortgage Debts, and has been for several years insufficient to permit of any payment to the Sinking Fund for the discharge of the said Debenture and Mortgage Debts, and the sum of £1,449 only now stands to the credit of the said Sinking Fund.

And whereas by the purchase of two hundred and forty-eight of the said Debentures out of the said Sinking Fund the sum of £24,800 part of the said sum of £72,000 secured by the said Trust Deed of 15th day of October, 1897 has been purchased by the Trust and the amount now due on foot of the said Trust Deed to holders of said Debentures other than the Trust is £47,200.

And whereas it is for the advantage of the Urban District of Newry and the public generally that the said Canal should be repaired and improved by the execution of the works in this Act mentioned.

And whereas the estimated cost of the said works is the sum of £100,000.

And whereas the Trust have not any funds available to meet the cost of the said works.

And whereas The Council is desirous of contributing portion of the cost thereof and it is expedient that power to make such contribution and to borrow the amount thereof should be conferred on the Council.

And whereas it is expedient that power should be conferred on the Council to acquire the said Debenture

and Mortgage Debts and to borrow the money necessary for that purpose.

A.D. 1929.

And whereas it is expedient that the other powers mentioned in this Act should be conferred on the Council and the Trust and the other provisions in this Act contained should be enacted.

And whereas the objects aforesaid cannot be attained without the authority of Parliament.

And whereas in relation to the Promotion of the Bill for this Act the requirements of the Borough Funds (Ireland) Act 1888 and the Acts amending the same have been observed.

MAY IT THEREFORE PLEASE YOUR MAJESTY,

That it may BE ENACTED AND BE IT ENACTED by the KING'S MOST EXCELLENT MAJESTY by and with the advice and consent of the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same as follows (that is to say):

1. This Act may be cited as The Newry Urban District Council and Newry Port and Harbour Trust Act (Northern Ireland) 1929.

Short title.

2. In this Act unless otherwise expressly provided or the context otherwise requires—

Interpretation.

“The Council” means the Urban District Council of Newry.

“The Act of 1901” means the Newry Port and Harbour Trust Act, 1901.

“The Trust” means the Newry Port and Harbour Trust incorporated by the Act of 1901.

“The undertaking of the Trust” means the Port and Harbour of Newry Newry River and Newry Canal within the limits defined by the Act of 1901.

“The Consolidated Town Rate” means the rate other than the Newry Water Rate raised by the Council under the powers of the Towns Improvement (Ireland) Act 1854, the Local Government Acts (Northern Ireland) 1898 to 1923, the Newry Improve-

A.D. 1929.

ment and Water Act 1871, The Newry Improvement Act 1889, The Act of 1901, The Public Libraries (Ireland) Act, 1855, The Public Libraries (Ireland) Act 1894, the Public Libraries (Ireland) Act 1920 ; The Education Act (Northern Ireland) 1923, and The Public Health (Ireland) Act 1878, as extended by any other Act or Acts.

Power to  
Council to  
contribute  
towards cost  
of improve-  
ment of  
Newry  
Canal.

3.—(1) The Council may contribute a sum or sums not exceeding in the whole £50,000 towards the cost of all or any of the following works which shall have been or shall be executed by the Trust after the 19th day of October 1928.

- (a) The construction of a new culvert in lieu of the existing aqueduct under the Newry Canal at the South side of the Albert Basin in Newry.
- (b) The re-building of part of the quay wall on the north-east side of Albert Basin aforesaid and repairs to the existing masonry walls and banks thereof.
- (c) The lengthening of the existing chamber of the Victoria Locks at Lower Fathom and the erection of new outer gates thereon.
- (d) The construction of a wharf on the west side of Albert Basin aforesaid.
- (e) The deepening, dredging, scouring, cleansing, widening and improvement of the Newry Canal and the entrances and approaches thereto and the removal of sand silt and other obstructions to navigation.

(2) Every sum which shall be paid by the Council to the Trust by way of such contribution shall be expended by the Trust on the execution of some one or more of the works aforesaid in such manner as shall be approved by the Council.

(3) No debt or other obligation for repayment shall be created by any payment made by the Council to or on behalf of the Trust in pursuance of the power given to the Council by Sub-Section (1) of this Section.

Power to  
Council to  
acquire  
Debentures  
charged on  
undertaking  
of Trust.

4.—(1) The Council may purchase by agreement all or any of the debentures charged upon the undertaking of the Trust from the holders thereof at a price not exceeding forty pounds for each Debenture of one hundred pounds.

(2) If within three months from the passing of this Act holders of at least three-fourths of the said Debentures which are not held by the Trust shall have agreed in writing to sell to the Council the Debentures held by them the Council shall be entitled to acquire compulsorily the Debentures not included in any such agreement at the price of forty pounds for each Debenture of one hundred pounds and the provisions of the Lands Clauses Acts with reference to the purchase and taking lands otherwise than by agreement shall with the necessary alterations extend to the acquisition of the said Debentures as if the same were lands within the meaning of those Acts and the amount of compensation had already been determined.

**A.D. 1929.**

5. The Council may purchase at any time within two years from the passing of this Act the Mortgage Debt of £26,400 charged on the undertaking of the Trust by indenture of mortgage dated the 15th day of October, 1902 and made between the Newry Port and Harbour Trust of the one part and the Scottish Provident Institution of the other part and debts in respect of other moneys borrowed by the Trust under the Act of 1901 at such price as may be agreed on between the Council and the owner of the said Mortgage Debt.

Power to  
Council to  
purchase  
Mortgage  
Debt  
charged on  
undertaking  
of Trust.

6.—(1) Any Mortgage or Debenture which shall be acquired and held by the Council under the provisions of this Act may at any time be converted into an irredeemable security by agreement between the Council and the Trust, and any provisions of the Act, under which any such Mortgage or Debenture was created, for the redemption of such Mortgage or Debenture within a fixed period from the time of the borrowing of the moneys thereby secured shall upon the making of such agreement cease to have effect.

Power to  
convert De-  
bentures and  
Mortgages  
acquired by  
Council into  
irredeem-  
able secur-  
ities and to  
forego  
interest.

(2) The Council may with the approval of the Ministry of Home Affairs waive the payment of any interest which shall have accrued due on foot of any such Mortgage or Debenture so acquired by them and shall not be obliged to recover any such interest in arrear.

7.—(1) The Council may from time to time independently of any other borrowing power borrow at interest

Power to  
Council to  
borrow and

A.D. 1929.  
 —  
 to secure re-  
 payment of  
 borrowed  
 moneys.

any sum or sums of money for the purposes hereinafter mentioned not exceeding the respective amounts following (that is to say) :—

- (a) For contributing towards the cost of the works mentioned in Section three of this Act the sum of £50,000.
- (b) For the purchase of Debentures under the provisions of Section four of this Act and the costs and expenses of such purchase the sum of £20,000.
- (c) For the purchase of the Mortgage debt of £26,400, and other debts under the provisions of Section five of this Act and the costs and expenses of such purchase the sum of £17,000.
- (d) For paying the costs charges and expenses of this Act as hereinafter provided the sum requisite for that purpose.
- (e) For paying the first year's interest on any sum or sums of money borrowed for the purposes of paragraphs (a) (b) and (c) of this sub-section the sum of £4,000.

(2) The powers of borrowing conferred on the Council by this Act shall not be restricted by any of the provisions of the Public Health (Ireland) Act, 1878, and in calculating the amount which the Council may borrow under that Act, any sums which they may borrow under this Act shall not be reckoned.

(3) The Council shall pay off all moneys borrowed by them for paying the costs charges and expenses of this Act within five years from the passing of this Act and shall pay off all other moneys borrowed by them under the powers conferred by this Act within sixty years from the passing of this Act, and such repayments shall be made either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a Sinking Fund.

(4) In order to secure the repayment of moneys to be borrowed under the powers conferred by this Act and the payment of interest thereon the Council may mortgage or charge the Consolidated Town Rate and all other Rates leviable by the Council.

(5) The following provisions of the Public Health (Ireland) Act 1878 shall extend and apply to and for the

purposes of this Section as if these provisions were with the substitution of "the Council" for "a sanitary authority" and all other necessary modifications re-enacted in this Act (namely):—

A.D. 1929.

Section 240 (Form of Mortgage).

Section 241 (Register of Mortgages).

Section 242 (Transfer of Mortgages).

Section 243 (Receiver may be appointed in certain cases).

(6) A person lending money to the Council under this Act shall not be bound to enquire as to the observance by them of any of the provisions of this Act, or be bound to see to the application, or be answerable for any misapplication or loss of the money lent or any part thereof.

8. Money borrowed by the Council under the powers conferred by this Act shall be applied only for the purposes of this Act for which it is authorised to be borrowed.

Application  
of Borrowed  
Money.

9. If any Debentures mortgage or other debt shall become vested in the Council under the provisions of this Act The Council shall apply all moneys received by them in respect of any such Debenture or Mortgage or other Debt, whether by way of Principal or Interest, in repaying the interest on and the instalments of the moneys borrowed under the powers conferred by this Act and the surplus if any after making such payments shall be deemed to be and shall be treated as part of the general funds of the Council and applied to any of the purposes to which the Consolidated Town Rate is applicable.

Application  
of Interest  
on Deben-  
tures, etc.,  
acquired by  
The Council.

10—(1) When The Council shall have purchased not less than three-quarters of such of the Debentures charged upon the undertaking of the Trust and issued under the provisions of the Trust Deed dated the Fifteenth day of October One Thousand Eight Hundred and Ninety-Seven and made between the Newry Navigation Company of the one part and Frank Dillon and James Francis Erskine of the other part as have not been acquired by the Trust the following provisions shall have effect, viz:—

Postpone-  
ment of re-  
demption of  
Debentures  
and Restric-  
tion on  
Appointment  
of Receiver  
over  
undertaking  
of Trust.

(a) The Trust shall pay over to The Council as it may accrue due the interest payable on the Debentures purchased or acquired by the

A.D. 1929.

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Trust before the date of the passing of this Act and notwithstanding the provisions of the Newry Port and Harbour Trust Act 1901 and of the Trust Deed dated the Fifteenth day of October One Thousand Eight Hundred and Ninety-Seven above-named and the moneys so paid to the Council shall be used and applied by the council towards meeting its liabilities with respect to moneys borrowed under the provisions of this Act and not for any other purpose.

Provided, however, that the right of The Council to receive such interest (except arrears thereof, if any) under the provisions of this Section shall cease and determine at and from the Fifth day of October One Thousand Nine Hundred and Fifty or at and from such earlier date at which the loans raised by the Council under the provisions of this Act shall have been paid off and that the amount of interest on such Debentures to be paid to the Council in respect of any year shall not exceed the sum of One Thousand Pounds.

Provided also that if the sum contributed by the Council towards the cost of repairs and improvements named in this Act shall be less than £30,000, the right of the Council to receive such interest (except arrears thereof, if any) under the provisions of this Section shall cease and determine as and from the Fifth day of October, 1940, or at and from such earlier date at which the loans raised by the Council under this Act shall have been paid off, and that the amount of interest on such Debentures to be paid to the Council in respect of any year shall not exceed the sum of £600.

Provided also that no such interest shall be paid to the Council until the sum of £9,000 at the least shall have been paid or contributed by the Council towards the costs of the said repairs and improvements and the costs and expenses of this Act.



A.D. 1929

Provided also that any Debentures acquired by the Council under the provisions of this Section shall not be sold or disposed of by the Council to any company, body, or person save the Trust without the consent under seal of the Trust and the consent of the Ministry of Commerce in writing under the hand of the Secretary or Assistant Secretary.

- (b) The Council shall on demand being made by the Trust within two years from the date of the passing of this Act sell to the Trust at the price of Forty Pounds for each Debenture of a nominal value of One Hundred Pounds any number of Debentures not exceeding forty in number held by the Council.
- (c) The redemption of the Debentures issued under the provisions of the Trust Deed aforesaid may with the consent of the holders of not less than three-quarters of the Debentures not purchased or acquired by the Trust for the purpose of redemption be postponed to a date not later than the Fifth day of October One Thousand Nine Hundred and Ninety-Seven and the provisions of the Act of 1901 and of the Trust Deed shall be varied accordingly.
- (d) In the year One Thousand Nine Hundred and Forty Seven and thereafter in each subsequent year until all the Debentures shall have been redeemed the Trust shall pay into its Sinking Fund Account an annual sum of Four Hundred Pounds which shall constitute a charge on the revenue of the Trust ranking immediately after the payment of interest on any outstanding Debentures and the obligation under the provisions of the Trust Deed dated the Fifteenth day of October One Thousand Eight Hundred and Ninety-Seven to provide an annual sum of Six Hundred Pounds to be paid into the Sinking Fund Account shall cease as from the date of the passing of this Act.
- (e) As from the first day of January One Thousand Nine Hundred and Forty-Seven the Trust shall be entitled to purchase from the Council and

A.D. 1929.

the Council shall on demand sell to the Trust at the price of Forty Pounds for each Debenture of the nominal value of One Hundred Pounds any Debentures purchased under the powers conferred by this Act but this provision shall not extend to the purchase and sale of more than twenty Debentures in any year after the Council shall have contributed not less than thirty thousand pounds towards the repairs and improvements named in this Act.

- (f) Notwithstanding any provision to the contrary in the Act of 1901 or in the Trust Deed dated the Fifteenth day of October One Thousand Eight Hundred and Ninety-Seven the Trust shall not cancel or extinguish any Debentures purchased or acquired by the Trust before the Fifth day of October One Thousand Nine Hundred and Fifty and on that date the Trust shall cancel and extinguish all Debentures then held by the Trust for the purposes of the Sinking Fund Account and thereafter shall cancel and extinguish as from the date when the next half-year's payment of interest becomes due all Debentures subsequently purchased or acquired for the purposes of the Sinking Fund and the obligation to pay an equivalent amount in lieu of interest on such cancelled or extinguished Debentures shall cease and determine as from the date of such cancellation and extinction.

(2) A Receiver over the undertaking of the Trust shall not be appointed except with the consent of the Ministry of Commerce of Northern Ireland.

Audit of  
Accounts of  
the Trust.

11. When under the provisions of this Act the Council shall have contributed any sum to the cost of the work of repair and improvement named in this Act, the following provisions shall have effect :—

- (a) The Accounts of the Trust from such day as the Ministry of Home Affairs shall appoint shall in addition to any existing Audit be audited and examined once in every year by an Auditor of Poor Law Unions in Northern Ireland appointed by the Ministry of Home Affairs and the Ministry of Home Affairs may

with respect to such additional audit by Order apply any or all of the provisions of Sections 11 to 18 inclusive of the Local Government (Ireland) Act, 1871, as amended by Section 6 of the Local Government Board (Ireland) Act, 1872, or any subsequent enactment including the provisions of those Sections which impose penalties or provide for the recovery of sums and may by such Order or any subsequent Order modify the said enactment and the said provisions shall apply accordingly subject to any such modifications so made as aforesaid.

A.D. 1929.

- (b) Any Order made by the Ministry of Home Affairs under this Section shall have effect as if enacted in this Act but may be revoked or varied by a subsequent Order.

12. As to one-third of the Trustees appointed by the Council to the Trust under the provisions of Sections 9 and 11 of the Act of 1901 the provisions of Section 25 of the said Act shall cease to have effect in the case of persons who are members of the Council.

Members of  
Council  
eligible as  
Trustees.

13. The costs charges and expenses preliminary to and of and incidental to the preparing, applying for, obtaining and passing this Act as taxed by the taxing officer of the Parliament of Northern Ireland shall be paid by the Council in the first instance out of the Consolidated Town Rate but ultimately out of moneys to be borrowed under the authority of this Act for that purpose.

Costs of Act

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### CHAPTER iii.

An Act to authorise the Mayor Aldermen and Burgesses of the City of Londonderry to construct a new bridge across the River Foyle within the City and to remove the existing Carlisle Bridge ; and for other purposes.

[11th July, 1929.]

A D. 1929.  
Preamble.

WHEREAS the City of Londonderry (in this Act called "the City") is under and by virtue of the Local Government (Ireland) Act 1898 a county borough and is subject to the Acts relating to municipal corporations in Northern Ireland and the Mayor Aldermen and Burgesses of the City acting by the Council thereof (in this Act called "the Corporation") are the urban sanitary authority for the district thereof under the Public Health (Ireland) Acts :

And whereas the existing Bridge across the River Foyle within the City (commonly known as the Carlisle Bridge and in this Act called "the existing bridge") was constructed by the Londonderry Bridge Commissioners (in this Act called "the Commissioners") under and by virtue of the Londonderry Bridge Act 1859 with two roadways the upper roadway being appropriated exclusively to general road traffic and the lower roadway adapted for the passage thereon of carriages constructed for passage upon railways and the Commissioners were empowered to levy tolls in respect of the user of each of the said roadways :

And whereas the said upper roadway was in the year 1877 freed from toll by virtue of the powers contained in the Londonderry Bridge Act 1877 and by the contribution of nearly £40,000 made by The Honourable the Irish Society towards rendering the same toll free but the Commissioners continued under and by virtue of the Acts relating to their undertaking to demand and take tolls in respect of the use for certain railway traffic of the said lower roadway and also under and by virtue of the said Acts established worked and carried on certain ferries across the River Foyle within the City and demanded and levied tolls in respect thereof :

And whereas under and by virtue of the Londonderry Corporation Act (Northern Ireland) 1924 (in this Act called "the Act of 1924") the bridge and ferries undertaking of the Commissioners as in that Act defined was transferred to and vested in the Corporation as from the thirtieth day after the passing of that Act and the Commissioners were dissolved and their affairs wound up :

And whereas the Corporation in exercise of the powers conferred upon them by the Act of 1924 now

maintain work and regulate and carry on the Bridge and Ferries undertaking of the Commissioners (which undertaking as so transferred to the Corporation as aforesaid and the powers rights authorities and privileges by the Act of 1924 conferred upon the Corporation in connection therewith and all improvements thereto effected by the Corporation under the powers of that Act was in that Act and is in this Act called "the Bridge and Ferries undertaking") and demand and levy in respect of the use of the lower roadway of the existing Bridge the tolls authorised in that behalf by the Act of 1924 :

A.D. 1929.

And whereas by the Act of 1924 the Corporation were authorised in order to bring the existing Bridge up to the standard required by modern traffic conditions to execute make and maintain a widening raising and reconstruction of the same and the approaches thereto and other works connected therewith (all of which works were in that Act and are in this Act called "the Bridge Improvement") :

And whereas as a result of further examination of the structure and foundations of the existing Bridge it has been found that the execution of the Bridge Improvement authorised by the Act of 1924 would be uneconomic and inexpedient and that the objects of the Act of 1924 with respect to the provision of adequate means of communication for the traffic aforesaid across the said River within the City can only be afforded by means of a New Bridge :

And whereas it is accordingly expedient that the Corporation should be empowered to construct the new Bridge and other works by this Act authorised to abandon the Bridge Improvement and to demolish and remove the existing Bridge :

And whereas it is expedient that the other provisions contained in this Act should be made :

And whereas the purposes of this Act cannot be effected without the authority of the Parliament of Northern Ireland :

And whereas an estimate has been prepared of the cost of constructing the works by this Act authorised (including the amounts necessary for the purchase of

A.D. 1929

lands and easements required therefor) and such estimate amounts to the sum of three hundred and sixty-one thousand pounds :

And whereas the Corporation were by the Act of 1924 empowered to borrow any sum or sums of money not exceeding the sum of Two hundred and ninety thousand pounds for the purchase of lands and easements for and for the execution of the Bridge Improvement and have at the date of the passing of this Act borrowed in exercise of the said power the sum of six thousand six hundred and fifty-nine pounds leaving a sum of two hundred and eighty-three thousand three hundred and forty-one pounds in respect of which such power of borrowing has not been exercised :

And whereas it is expedient that the said power of borrowing so far as the same has not been exercised should be made applicable to the purposes of this Act and that the Corporation should be empowered to borrow money for the purpose of defraying the amount by which the said estimate exceeds the amount of their unexercised borrowing power as aforesaid :

And whereas the works included in the said estimate are permanent works and it is expedient that the cost thereof should be spread over a term of years :

And whereas the Corporation have complied with the requirements of the Borough Funds Acts (Northern Ireland) 1888 and 1928 in relation to the promotion of the Bill for this Act :

And whereas the consent of the Board of Trade to this Act has been obtained in accordance with the provisions of subsection (2) of section 2 (Explanation of restrictions in section 4 of principal Act) of the Northern Ireland (Miscellaneous Provisions) Act 1928 :

And whereas plans and sections showing the lines situation and levels of the works authorised by this Act and plans showing the lands which may be acquired or used under the powers of this Act and a book of reference to those plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of and describing such lands have been deposited with the Clerk of the Crown and Peace for the County of

the City and of the County of Londonderry and are in this Act referred to respectively as “the deposited plans sections and book of reference” :

A.D. 1929.

**MAY IT THEREFORE PLEASE YOUR MAJESTY**

That it may be Enacted and **BE IT ENACTED** by the King’s Most Excellent Majesty and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

**PART I**

**PRELIMINARY.**

1. This Act may be cited as “The Londonderry Corporation (New Bridge) Act (Northern Ireland) 1929” and this Act and the Londonderry Improvement Act 1848 the Londonderry Improvement Act 1852 the Londonderry Improvement Act 1855 the Londonderry Improvement Act 1864 the Londonderry Improvement Act 1896 the Londonderry Corporation Act 1918 the Londonderry Corporation Act 1920 and the Londonderry Corporation Act (Northern Ireland) 1924 may be cited together as the Londonderry Corporation Acts 1848 to 1929 and shall be construed together as one.

Citation  
and con-  
struction.

2. This Act is divided into Parts as follows :—

Part I—Preliminary.

Part II—Works and Lands.

Part III—Tolls Byelaws etc.

Part IV—Finance and Miscellaneous.

Division of  
Act into  
parts

3. In this Act the several words and expressions to which meanings are assigned by the Public Health (Ireland) Acts 1878 to 1919 or by the Local Government (Northern Ireland) Acts 1898 to 1924 have the same respective meanings unless there be something in the subject or context repugnant to such construction and in this Act unless the subject or context otherwise requires—

Interpreta-  
tion.

“The City” means the City and county borough of Londonderry :

“The Corporation” means the mayor aldermen and burgesses of the City :

A.D. 1929.

“The Act of 1918” means the Londonderry Corporation Act 1918 :

“The Act of 1924” means the Londonderry Corporation Act (Northern Ireland) 1924 :

“The existing Bridge” means the Carlisle Bridge Londonderry :

“The Bridge Improvement” means the widening raising and reconstruction of the existing Bridge and of the approaches thereto and the works temporary or otherwise connected therewith authorised by the Act of 1924.

“The new Bridge” means the Bridge and approaches (Work No. 1) by this Act authorised.

“The Railway” means the Railway (Work No. 2) by this Act authorised.

“High water mark of ordinary spring tides” means at Londonderry 12.83 feet above ordnance datum.

The expressions “The Ministry of Home Affairs”

“The Ministry of Commerce” “The Commissioners”

“The Harbour Commissioners”

“The Northern Counties Committee” “The

Bridge Act of 1859” “The Bridge Act of

1877” “The Irish Society” “the borough

fund” “the borough rate” “the improvement

fund” and “the improvement rate” shall

have the same meanings as those assigned to

those expressions respectively by the Act of

1924.

Incorporation of  
Act.

4. The following Acts and Parts of Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act (namely) :—

(1) The Lands Clauses Acts with the following exception and modification—

(a) Section 127 of the Lands Clauses Consolidation Act 1845 is not incorporated with this Act ;

(b) the bond required by Section 85 of the Lands Clauses Consolidation Act 1845 shall be under the seal of the Corporation and shall be sufficient without the addition of the sureties mentioned in that section.



And for the purposes of such incorporation the expression "the promoters of the undertaking" shall be construed to mean "the Corporation."

**A.D. 1929.**

- (2) The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof. And for the purposes of such incorporation—
- (a) “The Company” shall be construed to mean “the Corporation”; and
  - (b) In the case of the new Bridge “the railway” shall be construed to mean the said work; and “the centre of the railway” shall be construed to mean any part of the said work.

## PART II.

WORKS AND LANDS.

**5.** Subject to the provisions of this Act the Corporation may make form lay down use and maintain in accordance with the deposited plans and sections and upon the lands delineated on those plans and described in the deposited book of reference the new works hereinafter described wholly within the City and may enter upon take and use all or any of the lands delineated on the deposited plans relating thereto and described in the deposited book of reference and may hold retain and use for the purposes of the said new works any lands and easements already acquired by them under the powers of the Act of 1924 for the purposes of the Bridge Improvement.

Power to  
Corporation  
to make  
etc. new  
works.

The new works hereinbefore referred to are—

Work No. 1 : A Bridge with an upper roadway and a lower deck for the purpose of carrying the railway (Work No. 2) by this Act authorised and with approaches thereto over the River Foyle (in substitution for or in addition to the existing Bridge) commencing in Carlisle Square on the western side of the said River at a point 9 yards or thereabouts measured in a southerly direction from the intersection of the centre lines of Abercorn Road and Carlisle Road and

A.D. 1929.

passing in a south easterly direction across Foyle Road the railway of the Great Northern Railway Company (Ireland) Abercorn Quay and the River Foyle immediately adjacent to the north eastern side of the existing Bridge then across the Waterside Quay on the eastern side of the said River and terminating at the junction of Duke Street and Spencer Road at the point where the eastern frontage line of buildings in Duke Street intersects the northern frontage line of buildings in Spencer Road :

Work No. 2: A railway (1 furlong  $9\frac{1}{2}$  chains in length) commencing on the western bank of the River Foyle by a junction with the railway of the Londonderry Port and Harbour Commissioners on Abercorn Quay at a point  $5\frac{1}{2}$  chains or thereabouts measured in a north easterly direction from the north eastern side of the existing Bridge on the said western bank passing over the lower deck of the new Bridge (Work No. 1) and terminating on the eastern bank of the said River by a junction with the railway of the said Commissioners on the Waterside Quay at a point  $3\frac{1}{2}$  chains or thereabouts measured in a north easterly direction from the north eastern side of the existing bridge on the said eastern bank :

together with all such approaches stairs subways passages means of ingress or egress shafts stages rails plates junctions turn-outs crossings passing places signals sidings sheds depots engines capstans buildings apparatus plant machinery and subsidiary and incidental works as may be necessary or convenient.

New works  
 etc. to  
 form part  
 of Bridge  
 Undertaking  
 of Cor-  
 poration.

6. The works by this Act authorised and all lands and easements thereby authorised to be acquired held retained or used and the powers rights authorities and privileges by this Act conferred upon the Corporation in connection therewith shall for all purposes whatsoever form part of and be comprised in the Bridge undertaking of the Corporation and the expression "the Bridge undertaking" as defined in the Act of 1924 shall for the purposes of this Act be deemed to include the said works

lands easements powers rights authorities and privileges and the expression " the bridge and ferries undertaking " as so defined shall be construed accordingly.

A.D. 1929.

7. Subject to the provisions of this Act the Corporation may for the purposes of and in connection with the powers granted to them by this Act alter the line or level of any of the streets roads and places described on the deposited plans or sections as intended to be raised or lowered in the manner shown on such plans or sections.

Streets etc.  
may be  
raised or  
lowered.

8. Subject to the provisions of this Act the Corporation may make on or in the banks bed soil and foreshore of the River Foyle and elsewhere in connection with the works by this Act authorised and at or near any works or erections to be made or put up by the Corporation for or connected with the same and may place and keep in the said river all such temporary and permanent piles fenders booms dolphins pontoons caissons stagings cofferdams embankments piers abutments walls fences drains stairs subways buildings and all such other works and conveniences as they may deem proper or find necessary or expedient and may from time to time and until such time as the existing Bridge shall be removed close temporarily any span or spans of the existing Bridge and of the new Bridge or either of them but for such period or periods only in each case as shall be requisite for the execution of the works by this Act authorised.

Subsidiary  
works  
affecting  
River  
Foyle.

9. Subject to the provisions of this Act the Corporation may in executing the works by this Act authorised deviate to an extent not exceeding three feet downwards and five feet upwards from the levels defined on the deposited sections and may deviate laterally from the line of any of such works to any extent within the limits of deviation defined on the deposited plans. Provided that no deviations either lateral or vertical below high water mark shall be made without the consent in writing of the Ministry of Commerce and of the Board of Trade.

Power to  
deviate.

10. In the construction of the new Bridge the Corporation shall not without the consent in writing of the Ministry of Commerce and of the Board of Trade deviate from the lines thereof as marked on the deposited plans to

Limits of  
lateral  
deviation  
for new  
Bridge.

A.D. 1929.

any extent even within the limits of deviation shown on such plans in such manner as to diminish the navigable space or otherwise than in such manner as is expressly authorised by the Ministry of Commerce and by the Board of Trade.

Application  
of pro-  
visions of  
Act of  
1924.

**11.** The following provisions of the Act of 1924 shall extend and apply for the purposes of this Act as if those provisions were with the necessary modifications re-enacted in this Act (that is to say)—

Section 47 (Power to alter and pull down buildings and to stop up streets):

Section 48 (Power to make subsidiary works):

Section 49 (Power to temporarily stop up or interfere with roads etc. for the purposes of the Bridge improvement):

Section 50 (Alteration of position of gas and other pipes):

Section 51 (Corporation empowered or may be required to underpin or otherwise strengthen houses near works):

Section 52 (No mains or pipes to be laid on Bridge except with consent of Corporation):

Section 53 (Corporation empowered to lay out carriageways and footways):

Section 56 (Sewers or drains to be removed arched over or filled up):

Section 58 (Power to Corporation to make agreements):

Section 60 (Lights on works during construction):

Section 61 (Permanent lights on works):

Section 62 (Survey of works by Ministry of Commerce etc.):

Section 63 (Abatement of work abandoned or decayed):

Section 64 (Works below high water mark to be subject to approval of Ministry of Commerce and Board of Trade):

Section 66 (Provision against danger to navigation):

Section 67 (Cables pipes or wires under or across tidal waters):

Section 83 (Power to retain sell etc. lands):

Section 84 (Power to Corporation to enter upon property for survey and valuation):

Provided that for the purposes of such application—

A.D. 1929.

- (a) any references in the said sections to “the Bridge Improvement” shall be construed as references to the works by this Act authorised ;
- (b) the said Section 52 shall be read and have effect as if “mains pipes cables or wires” were inserted therein in lieu of “main or pipe” and the said Sections 52 and 66 shall be read and have effect as if “the new Bridge” were inserted therein respectively in lieu of “the Bridge” ; and
- (c) the said Section 58 shall be read and have effect as if the Great Northern Railway Company (Ireland) were referred to therein in addition to the bodies and persons therein referred to.

12. If the works by this Act authorised be not completed within seven years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Corporation for the execution thereof shall cease except so far as the same shall have been completed.

Period for  
completion  
of works.

13.—(1) The Corporation shall construct the new Bridge with an upper roadway and a lower deck for the purpose of carrying the railway and of such strength as shall be sufficient to carry such standard load as may be prescribed by the Ministry of Home Affairs after consultation with the Ministry of Commerce.

Method of  
construc-  
tion and  
user of new  
Bridge and  
Railway.

(2) The upper roadway of the new Bridge shall be appropriated exclusively to general traffic and shall be toll free and the Railway shall be appropriated exclusively to the conveyance of traffic thereon.

(3) The Railway—

- (a) shall so far as the same may pass over the new Bridge be constructed upon the lower deck thereof ; and
- (b) may be used for the conveyance across the River Foyle in carriages waggon or trucks of goods parcels animals and merchandise and by such persons only as are in charge of such

A.D. 1929.

carriages waggons or trucks or otherwise employed or concerned in the working of the traffic of the said railway.

Special  
 powers as  
 to new  
 Bridge.

14. The Corporation shall have and may exercise all the rights powers and privileges in regard to the upper roadway of the new Bridge as they have and may exercise in regard to bridges and public roads vested in them in pursuance of any Acts relating to the City (save and except any power for the levying of tolls) and shall be subject in regard to the upper roadway thereof to the same obligations as they are subject to in regard to such bridges and roads as aforesaid.

Agreements  
 with Har-  
 bour Com-  
 missioners  
 and others.

15. Subject to the provisions of this Act the Corporation on the one hand and the Harbour Commissioners the Northern Counties Committee and the Great Northern Railway Company (Ireland) or any one or more of them and any other company body or persons on the other hand may enter into and carry into effect agreements for and in relation to the working and use of the lower deck of the new Bridge and of the Railway and the haulage and conveyance of traffic thereon the supply and maintenance of carriages waggons trucks stock machinery and plant and the employment of officers and servants.

Provided :—

- (i) that so long as the Harbour Commissioners continue to haul the traffic on their tramways on both sides of the River Foyle the Corporation shall not enter into any agreement for the working and use of the Railway or the haulage and conveyance of traffic thereon with any company body or person other than the Harbour Commissioners if and so long as such last mentioned haulage and conveyance is satisfactorily carried on by the Harbour Commissioners ; and
- (ii) that any question between the Corporation and the Harbour Commissioners as to (a) whether such haulage and conveyance is satisfactorily carried on or (b) the terms and conditions to be included in any agreement proposed to be entered into under this section

between the Corporation and the Harbour Commissioners shall be determined by an arbitrator to be agreed upon between them or failing such agreement to be appointed on the application of either party (after notice in writing to the other of them) by the Ministry of Home Affairs and the decision of such arbitrator shall be final and binding upon the Corporation and the Harbour Commissioners.

A D. 1929.

16. The following sections of the Bridge Acts of 1859 and 1877 so far as not repealed by the Act of 1924 shall apply and have effect in all respects in relation to the Bridge undertaking as enlarged by this Act and apply to the Corporation in respect thereof as if the Corporation were therein referred to instead of the Commissioners (that is to say):—

Application to new Bridge of unrepealed sections of Bridge Acts of 1859 and 1877.

The Bridge Act of 1859:—

Section 40—(Communications not to be made without consent.)

Section 54—(Power to fix lamps etc. on bridge.)

Section 55—(Power to contract for lighting of bridge.)

Section 60—(Penalty for committing offences herein named.)

Section 67—(Power to vary or reduce tolls.)

The Bridge Act of 1877:—

Section 29—(Railway companies may contribute towards freeing upper and lower roadways from toll.)

17. The provisions of Section 82 (Acquisition of easements) of the Act of 1924 shall with the necessary modifications extend and apply for the purposes of this Act with the substitution of a reference to the properties described or referred to in the Schedule to this Act for the properties described or referred to in the Fourth Schedule to the Act of 1924:

Acquisition of easements.

Provided that for the purposes of such application—

- (a) the references in the said section to “the Bridge Improvement” shall be construed as references to the works by this Act authorised; and

A.D. 1929.

- (b) subsection (1) of the said section shall be read and have effect as if "the new Bridge" were inserted therein in lieu of "the Bridge as widened raised and reconstructed under the powers of this Act."

Period for  
 compulsory  
 purchase  
 of lands.

**18.** The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Incorporation of  
 provisions  
 of Act of  
 1918.

**19.** The provisions contained in the sections of the Act of 1918 the numbers and marginal notes of which are set forth in this section shall so far as applicable and with the necessary modifications extend and apply to and for the purposes of this Act or in relation to the lands by this Act authorised to be acquired as if those enactments were in this Act re-enacted with reference thereto.

The sections hereinbefore referred to are :—

Section 38 (Correction of errors in deposited plans and books of reference).

Section 40 (Persons under disability may grant easements etc.).

Section 42 (Provisions as to compensation).

Section 43 (Application of purchase money in certain cases).

Section 47 (As to private rights of way over lands taken compulsorily).

Provided that in the application of the said section 42 the twentieth day of November One thousand nine hundred and twenty-eight shall be deemed to be referred to instead of the eighteenth day of November One thousand nine hundred and seventeen.

Abandonment of  
 Bridge  
 Improvement  
 authorised  
 by Act of  
 1924

**20.—(1)** The Corporation may abandon the construction of the Bridge Improvement :

(2) The abandonment by the Corporation under the authority of this Act of the Bridge Improvement shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Corporation on such lands for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil and



shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Corporation to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such lands of any of the powers contained in the Railways Clauses Consolidation Act 1845 or the Act of 1924 :

A.D. 1929.

(3) Where before the passing of this Act any contract has been entered into or notice given by the Corporation for the purchasing of any land for the purposes of or in relation to the Bridge Improvement to be abandoned by this Act the Corporation shall be released from all liability to purchase or to complete the purchase of any such lands but notwithstanding full compensation shall be made by the Corporation to the owners and occupiers or other persons interested in such lands for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof.

21.—(1) As from the completion of the new bridge and the railway and the opening of the same respectively for traffic the Corporation shall close for traffic the existing bridge and shall demolish take down and subject to the provisions of sub-section (2) of this section remove the same together with any rails turntables capstans pipes wires lamps and apparatus therein or attached thereto and the dolphins or fenders on each side thereof without being liable (save in respect of any default on the part of the Corporation in complying with the requirements of the Board of Trade referred to in sub-section (2) of this section or as between the Corporation and the Irish Society and their lessees with the provisions of subparagraphs (a) and (b) of sub-section (5) of section 27 of this Act) for damages or compensation in respect of such removal and thereupon all obligations to maintain the same shall cease.

As to  
removal of  
existing  
bridge.

(2) The removal by the Corporation of the existing bridge in accordance with the provisions of sub-section

A.D. 1929.  
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(1) of this section shall be completed within a period of two years after the new bridge is opened for public traffic or within such extended period as the Board of Trade may approve in writing. Prior to the commencement of the demolition of the existing bridge the Corporation shall furnish to the Board of Trade and also to the Irish Society details of their proposals with respect to the manner in which such demolition shall be carried out and the Irish Society shall be at liberty to make to the Board of Trade with respect to such proposals such representations as they think fit directed to the avoidance as far as may be of injury to their several fishery. The demolition of the existing bridge shall be carried out in such manner as the Board of Trade after considering any such representations as may be made by the Irish Society as aforesaid reasonably approve and the Corporation shall remove entirely all temporary works erected or placed in the River Foyle or on over or under the bed thereof in connection with such demolition and all materials resulting from such demolition and shall also take up and remove from the said river and from the bed thereof so much of the piers and foundations of the existing bridge as the Board of Trade may reasonably require to be so taken up and removed.

(3) The Corporation may sell and dispose of any part of the structure of the existing bridge or any material thereof or any apparatus connected therewith and may if they see fit retain such materials or apparatus or any part thereof and use the same in the construction of the new bridge or in the execution of any of the works by this Act authorised and may retain use and maintain all or any portions of the approaches to the existing bridge for the purposes of or in connection with the new bridge.

The Corporation shall credit the proceeds of the sale and disposal of any part of the said structure materials and apparatus against the costs charges and expenses referred to in section 37 of this Act or against the costs and expenses of and in relation to the execution of any works authorised by this Act and the acquisition of any lands and easements therefor.

(4) As from the closing for traffic of the existing bridge so much of the Act of 1924 as relates to the existing bridge shall cease to apply thereto.

**22.** Except for the purpose of landing or loading from or into vessels not arriving from or departing for foreign ports any goods or materials required for or used in the construction maintenance or repair of the works authorised by this Act none of the works constructed under the powers of this Act shall be used as a landing or loading place for goods or passengers conveyed or intended to be conveyed in any vessel.

A.D. 1929.

Restriction  
as to  
Landing  
Places.

**23.** The Corporation shall in constructing the new Bridge provide under the footway on the North-east side thereof a space sufficient for the accommodation of telegraphic lines of the Postmaster-General consisting of two pipes each having an internal diameter of 4 inches with a maximum external diameter of  $7\frac{1}{4}$  inches at the sockets. The accommodation shall be provided in accordance with plans sections and particulars to be previously submitted to and reasonably approved by the Postmaster General. Provided that if within one month of the receipt of the said plans sections and particulars the Postmaster-General shall not have intimated to the Corporation his disapproval thereof or made any requirement with respect thereto he shall be deemed to have approved the same.

Provision  
of accom-  
modation  
for Post  
Office  
telegraphic  
lines.

“Telegraphic line” in this Section has the same meaning as in the Telegraph Act 1878.

**24.** For the protection of the Londonderry Gaslight Company (in this section referred to as “the Company”) the following provisions shall unless otherwise agreed in writing between the Company and the Corporation have effect (that is to say):—

For pro-  
tection of  
Londen-  
derry Gas-  
light Com-  
pany.

- (1) For the purpose of preventing any interruption in the continuity of the supply of gas the Corporation shall before commencing to demolish the existing Bridge provide and lay at their own expense a new gas main across the new Bridge of a capacity not less than and in a position not less accessible than that of the existing gas main of the Company on the existing Bridge and connect the same at each end of the new Bridge with the Company's existing mains such work to be executed by the Corporation under the superintendence (if

A.D. 1929.

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given) of and to the reasonable satisfaction of the Company's Engineer. Provided that before laying the said new main and connecting the same as aforesaid the Corporation shall give to the Company notice of their intention to do so specifying the time at which they will commence to do so such notice to be given seven days at least before the commencement of the work and if within seven days of the receipt of such notice the Company shall give notice to the Corporation of their desire themselves to execute such work they shall forthwith proceed to do so and the cost reasonably incurred by them in so doing shall be repaid to them by the Corporation. Upon the completion of the said work the existing gas main of the Company on the existing Bridge shall vest in and belong to the Corporation.

- (2) The provisions of section 52 of the Act of 1924 as applied for the purposes of this Act shall not apply to the Company and notwithstanding anything contained in this Act it shall be lawful for the Company in the new Bridge and the carriageways or footways over the same respectively from time to time to lay down or place any mains pipes and apparatus (in this and the next succeeding subsection of this Section referred to as "apparatus") and to inspect maintain repair renew and use all such apparatus in the same manner in all respects and subject to the same obligations and conditions as the Company are under the Acts relating to their undertaking and the enactments incorporated therewith subject to in relation to the breaking up of streets for the purpose of laying pipes as if the new bridge carriageways and footways were a public street or highway under the control or management of the Corporation as the road authority of the City.
- (3) Notwithstanding anything contained in section 50 of the Act of 1924 as applied for the purposes of this Act the Corporation shall not alter or interfere with any apparatus of the Company until

they shall have provided to the reasonable satisfaction of the Company such substituted apparatus as may be agreed between the Corporation and the Company or in default of agreement determined by the Arbitrator in manner hereinafter provided to be reasonably necessary so as to prevent any interruption in the continuity of the supply of gas.

A.D. 1929.

- (4) If any difference shall arise as to any matter under subsections (1) or (3) of this section the matter in difference shall be referred to and settled by an arbitrator to be appointed on the application of either party by the President of the Institution of Civil Engineers.

25. For the protection of the Great Northern Railway Company (Ireland) (in this section referred to as "the Company") the following provisions shall unless otherwise agreed in writing between the Company and the Corporation have effect (that is to say):—

For  
protection  
of Great  
Northern  
Railway  
Company  
(Ireland)

- (1) The Works which the Corporation may construct under the powers of this Act shall so far as they pass over the property of the Company consist of a single span bridge with a minimum headway of eighteen feet six inches over the existing rail level of the Company's railway as shown on the plan marked "A" signed by the Chairman of the Joint Committee to whom the Bill for this Act was referred of which Plan a copy has been deposited in the Office of the Clerk of the Parliaments of Northern Ireland and no stanchions or other supports shall be placed upon any part of the property of the Company save where shown in red on the said plan.
- (2) If by reason or in consequence of the exercise of the powers of this Act or of the execution or failure of any work executed under the said powers any obstruction or delay shall occur to or in the traffic upon or along the Railway of the Company or any lines of rail connected therewith or any damage or injury shall happen to the railway or property of the Company or to any person on such railway or property the Cor-

A.D. 1929.

poration shall pay to the Company in respect of such obstruction or delay as or by way of liquidated and ascertained damages the sum of ten pounds for every hour during which such obstruction or delay shall continue and shall pay to the Company full compensation in respect of such damage or injury and shall indemnify them from and against all actions proceedings claims demands costs damages and expenses which may be taken or made against the Company or which the Company may incur or pay in consequence of such damage or injury.

- (3) The Corporation shall give to the Company not less than twenty-one days' notice in writing of the time at which they intend to commence the execution of any such work as is referred to in sub-section (1) of this section and all such work shall be executed to the reasonable satisfaction of the Company's Chief Engineer.
- (4) If by reason of the construction of the new bridge it shall in the opinion of the Company's Chief Engineer become necessary to alter or transfer to another position any of the Company's existing signals apparatus or other works at their Londonderry Station the Corporation shall pay to the Company on demand the cost incurred in so doing as certified by the Company's Chief Engineer.
- (5) If any difference shall arise between the Company and the Corporation under the provisions of this section such difference shall be referred to and be determined by an arbitrator to be agreed upon between them or failing such agreement to be appointed on the application of either party (after notice in writing to the other of them) by the President of the Institution of Civil Engineers.

For protection of  
 London  
 Midland  
 and Scot-  
 tish Rail-  
 way Com-  
 pany.

26.—(1) Nothing in this Act shall empower the Corporation to enter upon take use or interfere with any lands of the London Midland and Scottish Railway Company without the consent of that Company. Provided that such consent shall not be unreasonably withheld in

the case of the Corporation requiring the temporary occupation of any of the lands of the said Company for the purposes of the construction of the new bridge and the railway and that any dispute as to whether the consent is unreasonably withheld or not shall be determined by the Ministry of Commerce.

A.D. 1929

(2) Notwithstanding anything contained in this Act the Corporation shall not in executing the works authorised thereby obstruct the roadway numbered on the deposited plans 24 in the Parish of Clondermot in the City so as to interfere with the access to the Victoria Road Station of the London Midland and Scottish Railway Company.

**27.** For the protection of the Irish Society (in this section called "the Society") and their lessees the following provisions shall unless otherwise agreed in writing between the Corporation and the Society have effect (that is to say):—

For pro-  
tection of  
Irish  
Society  
and their  
Lessees.

- (1) Notwithstanding anything in this Act or on the deposited plans or in the deposited book of reference the Corporation shall not acquire any portion of the shores bed or soil of the River Foyle but the Society shall if required by the Corporation grant and convey to the Corporation and the Corporation may acquire (in consideration of the retransfer to the Society of the interest of the Corporation referred to in sub-section (4) of this section and without any other consideration) an easement of constructing and maintaining the new bridge across the River Foyle.
- (2) Before constructing any part of the new bridge or any works (whether temporary or permanent) connected therewith on over or under the bed soil shores or banks of the River Foyle or within ten yards therefrom (which Works are hereinafter referred to as "the specified Works") the Corporation shall submit to the Society at the Irish Chamber in London particulars of such Works and also for their reasonable approval plans and sections (in the case of any Works in respect of which plans and sections are

A.D. 1929.

prepared) and details of the mode and method proposed to be adopted in constructing the specified Works and the Society may make such reasonable requirements with reference to any of the specified Works as shown upon the said Plans and sections (if any) and with reference to the mode or method of constructing any of the specified Works (but not including any requirements with respect to the time at or within which the same shall be constructed) as may be reasonably necessary for the purpose of avoiding so far as possible any interference with their several fishery and the exercise by themselves or their lessees of their fishing rights and the Corporation shall comply with such requirements accordingly or in the event of their disagreeing with any such requirements or disputing the necessity for the same the requirements shall be referred to arbitration under the provisions of this Section and the specified Works shall be constructed in accordance with such plans and sections (if any) and with such requirements (if any) as may be settled by the Arbitrator. Provided that if the Society shall not within 28 days after the submission to them of the said Plans and Sections (if any) and of the details of the mode and method of construction of any of the specified Works intimate in writing to the Corporation their requirements with reference thereto respectively they shall be deemed to have approved thereof.

(3) The Corporation shall execute the specified Works in such manner that at all times during the period of the execution thereof—

(i) The width of unobstructed waterway on the western side of the fourth main pier from the western bank of the River Foyle as shown on the deposited sections shall not be less than forty feet and the clearance between high water of ordinary spring tides and the underside of any temporary works above such width of unobstructed waterway shall not at any time between the



first day of April and the thirty-first day of August be less than six feet measured vertically.

A.D. 1929.  
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- (ii) No lime cement spent carbide or other matter deleterious to fish or fry shall be allowed to be conveyed or cast into the River Foyle and the waters of the said River shall not be otherwise poisoned or polluted by any act or omission of the Corporation.
- (4) Upon the completion of the demolition and removal of the existing Bridge the Corporation shall retransfer to the Society free of expense in exchange for the easement to be granted to the Corporation under sub-section (1) of this section such interest in the shores bed and soil of the River Foyle or any portion or portions thereof as may be vested in the Corporation in connection with the existing Bridge. Such retransfer shall be upon the footing of the said shores bed and soil being in the state in which the same are at the date thereof subject to compliance by the Corporation with the provisions of section 21 of this Act.
- (5) In constructing the specified Works and in the work of demolition and removal of the existing Bridge the Corporation shall interfere as little as may be with the several fishery of the Society or with the exercise of any of the fishing rights of the Society or their lessees and the Corporation shall take all reasonable precautions to avoid impeding capturing injuring or destroying fish and fry and in particular shall not—
  - (a) carry out or permit any blasting operations in the said River otherwise than inside a cofferdam or cylinder and in such manner and at such times as may be reasonably approved by the Society (and in any event shall not carry out or permit any blasting operations between the 30th day of May and the 31st day of August in any year when the tide is flowing or between the 15th day of April and the 31st day of May when the tide is ebbing); or

A.D. 1929.  
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- (b) obstruct damage or interfere with any stake or net or any tackle or equipment or other thing belonging to the Society or their lessees and used in connection with the several fishery of the Society.
- (6) The specified works shall when commenced by the Corporation be proceeded with and completed as soon as practicable and the Corporation shall within a reasonable time after the completion of the specified works remove any temporary works and materials for temporary works which may have been placed by the Corporation in the River Foyle or on the bed soil shores or banks thereof for the purposes of the construction of the specified Works. If the Corporation fail to do so the Society may after the expiration of not less than one month's notice given by them to the Corporation of their intention so to do remove the same and recover the reasonable cost of so doing from the Corporation.
- (7) The Tablet now affixed to the north end of the east side of the existing Bridge on which Tablet is recorded the fact that the existing Bridge was declared toll free and the mode in which the cost of freeing the Bridge from toll was raised and paid shall be re-affixed in such position on the new Bridge as may be reasonably approved by the Governor of the Society with a subsidiary Tablet recording the fact that the new Bridge is in substitution for a Bridge which formerly existed immediately adjoining the same and which was erected under the provisions of 22 Vic. Chap. VII and the upper roadway of which was freed from toll pursuant to the provisions of 40 and 41 Vic. Chap. CXCVI.
- (8) The new Bridge shall be so constructed that the clearance between high water of ordinary spring tides and the underside of the structure of the Bridge shall in the case of the five major spans shown on the deposited sections be not less than six feet measured vertically.

- (9) Any difference which may arise between the Corporation and the Society or between the Corporation and the Lessees of the Society under this Section and any matter which by this section is required to be determined by arbitration shall be referred to and settled (in default of agreement) by a single arbitrator to be agreed between the parties or failing agreement to be appointed by the Ministry of Home Affairs.

A.D. 1929.

**28.** For the Protection of the Harbour Commissioners the following provisions shall unless otherwise agreed in writing between the Harbour Commissioners and the Corporation apply and have effect (that is to say):—

For protection of  
Harbour  
Commissioners.

- (1) Not less than fourteen days before commencing the construction of any works under the powers of this Act in or upon the bed banks or foreshore of the River Foyle the Corporation shall submit to the Harbour Commissioners for their reasonable approval plans sections and particulars of such works and no such work shall be executed otherwise than in accordance with such plans sections and particulars as approved by the Harbour Commissioners or in case of any difference between them and the Corporation with reference thereto as settled by arbitration as hereinafter provided. Provided that if the Harbour Commissioners shall not within fourteen days after the submission to them of such plans sections and particulars intimate in writing to the Corporation their objection thereto or make any requirement with respect thereto they shall be deemed to have approved thereof.
- (2) The Corporation shall give to the Harbour Commissioners not less than seven days' notice of the time at which they intend to commence the execution of any of such works as are referred to in sub-section (1) of this section and the Engineer of the Harbour Commissioners or some other person appointed by them

A.D. 1929.

- in that behalf shall be entitled to attend the execution of the said works in order to satisfy himself that the same are being executed in accordance with plans sections and particulars which shall have been agreed or settled under the provisions of subsection (1) of this section.
- (3) Notwithstanding anything contained in this Act or shown on the deposited plans or sections the Corporation shall not construct the new Bridge or execute or do any work or thing—
- (a) so that the clearance between high water mark of ordinary spring tides and the structure of the new Bridge in the case of the five major spans shown on the deposited sections shall be less than six feet measured vertically ; or
- (b) so as to obstruct or interfere with the free safe and uninterrupted navigation of the Port and Harbour of Londonderry. . Provided that neither the absence of an opening span nor the construction of the new Bridge with a clearance in accordance with the provisions of paragraph (a) of this subsection shall constitute any such obstruction or interference as aforesaid.
- (4) Notwithstanding anything contained in this Act or in any enactment thereby applied for the purposes thereof the Corporation shall not permanently stop up the road on the eastern bank of the River Foyle leading from the Donegal branch of the London Midland and Scottish Railway to the quays on the northern side of the existing Bridge or (except in connection with any permanent diversion of the said road) any part of such road nor temporarily stop up the same except during such time as may be reasonably necessary for the construction of the works authorised by this Act ; and notwithstanding such temporary stopping up the Harbour Commissioners and their employees and all persons lawfully going to or from the said quays shall be entitled so far as may be reasonably practicable to pass and repass along the said road or any part thereof

with or without vehicles of any description for which purpose the Corporation shall make reasonable provision so far as may be consistent with the execution of the works authorised by this Act. Provided that nothing in this subsection shall prejudice or prevent :—

A.D. 1929.

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- (i) the placing and permanent maintenance in the said road by the Corporation under the powers of this Act of not more than two columns for the purpose of supporting the new Bridge ; or
- (ii) the permanent or temporary diversion of the said road by the Corporation under the powers of this Act or of any enactment applied thereby.

but any such columns shall be placed and maintained and any such diversion shall be made in such manner as to afford to the Harbour Commissioners and their employees and all persons lawfully going to or from the said quays such access thereto and therefrom as shall be reasonably equivalent to that afforded by the said road at the date of the passing of this Act.

- (5) Notwithstanding anything contained in this Act or shown on the deposited plans the Corporation shall not purchase or acquire the lands or property of the Harbour Commissioners numbered on the said plans 21 in the Parish of Templemore but the Corporation may purchase and take and the Harbour Commissioners shall if required by the Corporation sell to the Corporation an easement or right of using the same or such part or parts thereof as may be required by the Corporation for the purposes of a contractors' yard or other similar purpose in connection with the construction of the new Bridge and the demolition of the existing Bridge during the period of such construction and demolition and for such further periods not exceeding twelve months prior or subsequent to such periods of construction and demolition as the Corporation may require. The provisions of the Lands Clauses Act shall apply to the acquisition of any such easement or

A.D. 1929.

right as if the same were lands to which those Acts apply.

- (6)—(a) Not later than the date at which the Corporation submit to the Harbour Commissioners the plans sections and particulars referred to in subsection (1) of this section the Corporation shall inform the Harbour Commissioners by notice in writing whether it is proposed—
- (i) to construct the Railway partly along the lower deck of the new Bridge and partly along curves connecting such lower deck with the existing tramways or railways on each bank of the River Foyle together with such capstans cables and other works and apparatus or other mechanical means of haulage as are necessary for the haulage of traffic on the lower deck of the new Bridge and the curves (which method of construction is hereinafter in this subsection referred to as “the curves system”); or
  - (ii) to provide so much of the Railway as is situate on the lower deck of the new Bridge with lines of rails connecting the same as constructed on such lower deck with the existing tramways or railways on each bank of the River Foyle by means of junctions therewith together with turntables at such junctions and such capstans cables and other works and apparatus or other mechanical means of haulage as are necessary for use for the haulage of traffic on the said lower deck (which method of construction is hereinafter in this subsection referred to as “the turntable system”); or
  - (iii) to adopt both the curves system and the turntable system;
- (b) In the event of the Corporation informing the Harbour Commissioners as aforesaid that it is proposed to adopt one or other only (but not both) of the curves system and the turntable system respectively it shall be competent to the Harbour Commissioners by a counter-

A.D. 1929.

notice in writing to be given to the Corporation within thirty days after the receipt of the notice from the Corporation provided for by paragraph (a) of this subsection to object to the adoption of the system so proposed. Upon the giving of any such counter-notice a difference between the Corporation and the Harbour Commissioners shall be deemed to have arisen and the same shall (failing agreement or unless the said counter notice shall be withdrawn) be determined by arbitration under this section the decision of the arbitrator as to which of the said systems shall be adopted to be final and binding upon the Corporation and the Harbour Commissioners.

- (c) The Corporation shall at their own expense under the superintendence and to the reasonable satisfaction of the Engineer of the Harbour Commissioners and on or before such date as shall be necessary in order to comply with the provisions of paragraph (c) of this subsection construct and place in the lower deck of the new Bridge and/or (as the case may be) in the curves such turntables capstans cables and other works apparatus and conveniences connected therewith to be placed in such positions as the Harbour Commissioners may reasonably require or provide such other mechanical means of haulage as the Harbour Commissioners may reasonably require for the haulage of traffic according to the system so adopted or determined as aforesaid ;
- (d) For the purposes of this subsection the Corporation may with the consent in writing of the Harbour Commissioners (which shall not be unreasonably withheld) remove from the lower roadway of the existing bridge and re-erect or replace in the lower deck of the new Bridge and/or (as the case may be) in the curves (in conformity with the system of haulage adopted or determined as aforesaid) such of the turntables lines of rails capstans cables and other works apparatus and conveniences erected or placed in the lower roadway of the

A.D. 1929.  
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existing Bridge as can be removed without interfering with the haulage of traffic on such last mentioned lower roadway ;

- (e) The Corporation shall not remove alter or interfere with any turntables lines of rails capstans cables or other works or apparatus belonging to or used by the Harbour Commissioners for or in connection with the haulage of traffic on the lower roadway of the existing bridge so as to interrupt or interfere with the continuity of such haulage unless and until new or substituted turntables lines of rails capstans cables or other works or apparatus or other mechanical means of haulage are (in conformity with the system of haulage of traffic adopted or determined as aforesaid) placed or provided and ready for use for the haulage of traffic on the lower deck of the new Bridge and/or (as the case may be) on the curves ; or otherwise than in such manner and upon and subject to such terms and conditions as the Harbour Commissioners may reasonably direct and impose. Any turntables capstans cables and other works situate in the lower roadway of the existing bridge which are the property of the Harbour Commissioners and which are removed by the Corporation under the provisions of this subsection and are not re-erected or replaced in the lower deck of the new bridge or in the curves (as the case may be) shall vest in the Corporation and may be sold and disposed of by them but any such turntables capstans cables and other works apparatus and conveniences so removed by the Corporation and so re-erected or replaced and any new capstans cables and other works apparatus and conveniences or other means of mechanical haulage placed or provided for the haulage of traffic on the lower deck of the new Bridge and/or (as the case may be) on the curves shall remain the property of or vest in the Harbour Commissioners and be repairable and renewable by them.



A.D. 1929.  
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(7)—(a) As from the date of the opening of the railway for the haulage of traffic on the lower deck of the new Bridge—

(i) the agreement dated the 20th day of October 1915 and made between the Londonderry Bridge Commissioners of the one part and the Harbour Commissioners of the other part shall with the necessary modifications (including the omission therefrom of all references to the opening of the Bridge) extend and apply to the lower deck of the new Bridge and all or any electric capstans fairleads and other apparatus for the time being thereon instead of to the lower roadway of the existing Bridge and the electric capstans fairleads and other apparatus thereon as if the Corporation had been a party thereto instead of the said Londonderry Bridge Commissioners ;

(ii) the provisions of subsections (i) and (iii) of section 14 (For protection of Londonderry Port and Harbour Commissioners) of the Londonderry Bridge Act (Northern Ireland) 1922 and of subsection (1) of section 14 (Partial repeal of Commissioners' Act &c.) of the Act of 1924 shall have effect as if those subsections had been enacted with reference to the said agreement as applied by this subsection and to the lower deck of the new Bridge and the capstans or other works or apparatus (if any) for the time being thereon and as if the Corporation had been referred to in the first-mentioned section instead of the said Londonderry Bridge Commissioners.

(b) Until the date first referred to in this subsection nothing in this Act shall alter or affect the said agreement or the provisions referred to in sub-paragraph (ii) of the foregoing paragraph (a) ;

(c) During the continuance of the said agreement the Harbour Commissioners shall have the

A.D. 1929.

sole right of working the capstans works or apparatus for the time being on the lower roadway of the existing Bridge or the lower deck of the new Bridge (as the case may be) or of using any other mechanical means of haulage which may be provided as aforesaid for the haulage of traffic over such lower roadway or lower deck.

- (8) Notwithstanding anything contained in this Act the Corporation shall not except in cases of emergency at any time close the lower deck of the new Bridge until after the expiration of seven days' notice to be given by them in writing to the Harbour Commissioners.
- (9) Nothing in this Act or arising out of the exercise of the powers conferred upon the Corporation by this Act shall in any way alter or affect the provisions of Section 54 (No jetties &c. to be built except with consent of Commissioners) of the Londonderry Port and Harbour Act 1854.
- (10) The provisions of subsections (6) (7) and (8) of this section shall cease to have effect as from the date on which the Harbour Commissioners discontinue the haulage of traffic on the lower roadway of the existing Bridge or the lower deck of the new Bridge as the case may be.
- (11) If any difference shall arise between the Harbour Commissioners and the Corporation under the provisions of this section for the determination of which no other provision is thereby made such difference shall be referred to and determined by a single arbitrator to be agreed upon between them or failing such agreement to be appointed on the application of either party (after notice in writing to the other of them) by the Ministry of Home Affairs.

For protection of  
 Proprietors  
 of Strabane  
 Canal.

29. For the protection of the proprietors for the time being of the Strabane Canal (in this section called "The Proprietors" which expression shall include their lessees where the context so requires or admits) the following provisions shall unless otherwise agreed in

writing between the proprietors and the Corporation apply and have effect (that is to say) :—

A.D. 1929.

Notwithstanding anything in this Act or shown on the deposited plans and sections the new Bridge shall be so constructed that the clearance between high water of ordinary spring tides and the underside of the structure of the Bridge shall in the case of the five major spans shown on the deposited sections be not less than six feet measured vertically.

### PART III.

#### TOLLS, BYELAWS ETC.

**30.**—(1) The Corporation may demand receive and recover in respect of the use of the lower deck of the new Bridge and of the Railway any tolls not exceeding the tolls authorised by the Act of 1924 in respect of the use of the lower roadway of the existing Bridge.

As to tolls  
in respect  
of lower  
deck of  
new Bridge  
and Rail-  
way.

(2) So much of the following provisions of the Act of 1924 as relates to Bridge tolls shall extend and apply for the purposes of the tolls referred to in subsection (1) of this section as if the same were with the necessary modifications re-enacted in this Act (that is to say)—

Section 27 (Revision of Tolls) ;

Section 28 (Tolls to be charged equally) ;

Section 29 (Taking and recovery of tolls) ;

Section 30 (List of tolls to be printed and exhibited) ;

Section 31 (Tolls to be taken only while lists exhibited and penalty for defacement etc.) ;

Section 32 (Bridge and ferries to be free on payment of tolls) ;

Section 33 (Penalty on non-payment of bridge or ferry tolls) ;

Section 34 (Power to charge for accommodation in connection with bridge and ferries) ;

Section 35 (Power to enter into composition for payment of tolls) ;

Section 36 (Disputes as to tolls) ;

Section 37 (Appointment of Officers etc.)

Provided that for the purposes of the application of the said section 32 the reference therein to the lower roadway of the bridge shall be construed as including a reference to the Railway.

A.D. 1929.

Byelaws as  
to new  
Bridge and  
Railway.

**31.**—(1) It shall be lawful for the Corporation to make alter repeal vary amend and enforce byelaws with respect to the new Bridge and the Railway for all or any of the purposes specified in relation to the existing Bridge in section 38 (Byelaws as to bridge and ferries) of the Act of 1924 and for that purpose any reference in the said section to the lower roadway of the bridge shall be construed as including a reference to the Railway.

Provided that the Corporation shall not make any byelaw which shall in any way conflict or be inconsistent with any enactment for the time being relating to the Harbour Commissioners or any byelaw lawfully made by those Commissioners and for the time being in force and that nothing in this section or in any byelaw made by the Corporation thereunder shall in any way prejudice or affect the rights powers or jurisdiction of the Harbour-master of the Port and Harbour of Londonderry.

(2) The provisions of section 98 (Confirmation of byelaws) of the Act of 1924 shall extend and apply for the purposes of this section as if those provisions were with the necessary modifications re-enacted in this section.

For preven-  
tion of  
trespass on  
lower deck  
of new  
Bridge.

**32.**—Any person who shall trespass upon the lower deck of the new Bridge shall on summary conviction be liable to a penalty not exceeding forty shillings.

#### PART IV.

#### FINANCE AND MISCELLANEOUS.

Application  
of borrow-  
ing powers  
under and  
financial  
provisions  
of Act of  
1924 to  
purposes of  
this Act.

**33.**—(1) The powers of borrowing conferred upon the Corporation by the Act of 1924 for the purposes of the purchase of lands and easements for and for the execution of the Bridge Improvement shall in so far as the same have not been exercised at the date of the passing of this Act extend and apply for the purposes of the purchase of lands and easements for and for the construction of the works by this Act authorised: Provided that for the purposes of such application section 90 (Power to borrow) of the Act of 1924 shall be read and have effect as if “Three hundred and sixty-seven thousand six hundred and fifty-nine pounds” were inserted in paragraph (e) of subsection (1) of that section in lieu of “Two hundred and ninety thousand pounds.”

(2) The following provisions of Part IX (Financial) of the Act of 1924 shall extend and apply for the purposes of this section as if those provisions were with the necessary modifications re-enacted in this Act with reference thereto (that is to say)—

A.D. 1929.

Section 91 (Incorporation of provisions of Act of 1918);

Section 92 (Commencement of payment to sinking fund);

Section 93 (Separate accounts of the bridge and ferries undertaking etc.);

Section 94 (Revenue and deficiency account in respect of bridge undertaking);

Provided that for the purposes of such application—

(a) references in the said provisions to “the Bridge Improvement” shall be construed as references to the works by this Act authorised; and

(b) references in the said provisions to the Bridge undertaking shall be construed as references to the Bridge undertaking as enlarged under the provisions of section 6 of this Act.

34. The following sections of the Act of 1924 shall so far as they are applicable extend and apply with the necessary modifications to and in relation to this Act and be incorporated with and form part of this Act (that is to say)—

Application of further provisions of Act of 1924.

Section 99 (Incorporation of further provisions of Act of 1918);

Section 103 (Saving rights of the Irish Society);

Section 104 (Saving rights of Harbour Commissioners);

Section 105 (Crown Rights).

35. Any compensation payable by the Corporation under section 19 (Compensation to officers) of the Act of 1924 may be paid otherwise than by way of an annual sum Provided that any compensation so paid shall not exceed two-thirds of the capital value of the annual pecuniary loss.

Amendment of section 19 (Compensation to officers) of Act of 1924.

36. Section 40 (Restriction on goods to be landed at landing stages) of the Act of 1924 is hereby repealed.

Repeal.

A.D. 1929.  
Costs of  
Act.

**37.** All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act shall be paid by the Corporation in the first instance out of the improvement fund and improvement rate or the borough fund and borough rate but ultimately out of moneys to be borrowed under the authority of this Act for that purpose and the powers of borrowing conferred upon the Corporation by the Act of 1924 for the purpose of paying the costs charges and expenses of that Act shall extend and apply for the purpose of the raising and payment by the Corporation of the costs charges and expenses of this Act subject to the substitution as the period within which the Corporation shall pay off all money borrowed by them for that purpose of five years from the passing of this Act for five years from the passing of that Act.

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THE SCHEDULE REFERRED TO IN THE FOREGOING ACT.

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DESCRIBING PROPERTIES IN RESPECT OF WHICH EASEMENTS ONLY  
MAY BE TAKEN COMPULSORILY.

| Parish or Place.        | Nos. on deposited Plans. |
|-------------------------|--------------------------|
| The City .. ..          |                          |
| Parish of Templemore .. | 17, 18, 19, 20, 21, 23,  |
| The City                |                          |
| Parish of Clondermot .. | 23, 25, 26.              |

**CHAPTER iv.**

**A.D. 1929.**

An Act to confer powers on the Council of the Borough of Bangor in the County of Down with respect to sewerage construction and sewage disposal works ; To acquire lands for recreation purposes ; To make further provisions in regard to the electricity undertaking of the Council ; To make further provisions for the improvement, health and good government of the Borough ; To confer various powers on the Council ; and for other purposes.

[11th July, 1929.]

WHEREAS the Borough of Bangor in the County of Down (in this Act called "The Borough") is a Municipal Borough at present subject to the Acts relating to Municipal Corporations in Northern Ireland and the Mayor Aldermen and Councillors (hereinafter called "The Council") of the Borough are the urban sanitary authority for the district thereof :

*Preamble.*

And Whereas the resident population of the Borough is thirteen thousand and upwards during the winter months and forty thousand and upwards during the summer months and is rapidly growing and the Borough is developing greatly as a residential seaside and health resort :

And Whereas the gross rateable value of the Borough is now seventy thousand two hundred pounds and upwards :

And Whereas the present system of sewerage and sewage disposal is inadequate to meet the present and growing requirements of the Borough and it is expedient that the Council should be empowered to make and maintain the sewerage works and sewage disposal works described in this Act :

And Whereas the consent of the Board of Trade to this Act has been obtained in accordance with the provisions of sub-section 2 of section 2 (Explanation of Restrictions in section 4 of Principal Act) of the Northern Ireland (Miscellaneous Provisions) Act 1928.

A.D. 1929.  

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And Whereas it is expedient that the Council should be empowered to acquire the lands described in this Act for the purpose of a Recreation Ground :

And Whereas it is expedient that further powers should be conferred upon the Council with respect to their electricity undertaking :

And Whereas it is expedient that further provisions should be made with regard to streets, buildings, sewers and drains :

And Whereas it is expedient that the powers of the Council in relation to food should be extended as by this Act provided :

And Whereas it is expedient to make further and better provisions for the improvement, health and good government of the Borough and that the powers of the Council in regard thereto should be enlarged as is provided in this Act :

And Whereas it is expedient that further borrowing powers for the purposes of this Act and for the other purposes hereinafter referred to should be conferred upon the Council :

And Whereas it is expedient that the other provisions in this Act contained should be enacted :

And Whereas the objects aforesaid cannot be attained without the authority of Parliament :

And Whereas estimates have been prepared by the Council for the purposes hereinafter mentioned and such estimates are as follow :—

|                                                                  |          |
|------------------------------------------------------------------|----------|
| For the construction of sewerage works and sewage disposal works | £100,000 |
|------------------------------------------------------------------|----------|

And Whereas the several works included in such estimates are permanent works within the meaning of section 238 of the Public Health (Ireland) Act 1878 and it is expedient that the cost thereof should be spread over a term of years :

And Whereas in relation to the promotion of this Act the requirements of the Borough Funds Acts (Northern Ireland) 1888 and 1928 have been observed, and the approval of the Ministry of Home Affairs has been obtained :



And Whereas plans and sections showing the lines, situation and levels of the works authorised by this Act and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands referred to or which may be taken for the purposes of this Act were duly deposited with the Clerk of the Peace for the County of Down which plans sections and book of reference are in this Act referred to as “the deposited plans” “sections” and “book of reference” respectively :

A.D. 1929.  
—

MAY IT THEREFORE PLEASE YOUR MAJESTY

*That it may be Enacted and be it Enacted by the King's Most Excellent Majesty and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled and by the Authority of the same as follows :—*

PART I.

PRELIMINARY.

1. This Act may be cited as the Bangor Borough Council Act (Northern Ireland) 1929, and this Act and the Bangor (County Down) Water and Improvements Act, 1905, may be cited together as the Bangor Borough Council Acts, 1905 and 1929, and shall be construed together as one Act. Short title.

2. This Act is divided into Parts as follow :—

Act divided  
into parts.

- Part I.—Preliminary.
- Part II.—Sewerage.
- Part III.—New Streets, &c.
- Part IV.—Street Improvements.
- Part V.—Sanitary Provisions.
- Part VI.—Watercourses, Streams, &c.
- Part VII.—Electricity.
- Part VIII.—Recreation Grounds.
- Part IX.—Lands.
- Part X.—Finance.
- Part XI.—Food.
- Part XII.—Miscellaneous.

3. In this Act the several words and expressions to which meanings are assigned by the Public Health (Ireland) Acts, 1878 to 1918, or by the Local Government

Interpreta-  
tion of  
terms.

A D. 1929. — Acts (Northern Ireland) 1898 to 1924, have the same respective meanings unless there be something in the subject or context repugnant to such construction and in this Act unless the subject or context otherwise requires—

- “The Borough” means the Borough of Bangor in the County of Down ;
- “The Council” means the Mayor, Aldermen and Councillors of the Borough acting by the Council ;
- “The District Fund” and “The District Rate” mean respectively the District Fund and the rate raised by the Council under the powers of the Towns Improvement (Ireland) Act 1854 and the Public Health (Ireland) Act 1878 as extended by any other Act ;
- “The Ministry of Home Affairs” means the Ministry of Home Affairs for Northern Ireland ;
- “The Ministry of Labour” means the Ministry of Labour for Northern Ireland ;
- “The Act of 1905” means the Bangor (County Down) Water and Improvement Act 1905 ;
- “The Public Health Acts” means the Public Health (Ireland) Act 1878 and any Act or Acts amending or extending the same ;
- “The Sale of Food and Drugs Acts” means the Sale of Food and Drugs Acts 1875 to 1899 and any Act or Acts amending or extending the same ;
- “The Clerk” “The Surveyor” “The Sanitary Inspector” mean respectively the clerk and the surveyor and the executive or other sanitary officer appointed by the Council in pursuance of any public Act and respectively include any person duly authorised to discharge temporarily the duties of those officers ;
- “The electricity undertaking” means the electricity undertaking of the Council as from time to time authorised ;
- “The electricity limits” means the limits within which the Council are for the time being authorised to supply electricity and such limits shall be deemed to be the area of supply within the meaning of the schedule to the Electric Lighting (Clauses) Act 1899 ;

A.D. 1929.

- “ Streets ” includes any road, esplanade, promenade or parade ;
- “ Food ” includes every article other than water used for food or drink by man ;
- “ Daily penalty ” means a penalty for each day on which any offence is continued by a person after conviction ;
- “ Statutory undertaking ” means any person or company or public body authorised by Parliament to construct, work or carry on any railway, canal, inland navigation, dock, harbour, tramway, gas, electricity, water or other public undertaking ;
- “ Court of summary jurisdiction ” means any justice or justices of the peace or other magistrate or officer to whom jurisdiction is given by the Petty Sessions (Ireland) Act 1851, and the Acts amending or affecting the same.
- “ Statutory Security ” means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage, bond, debenture, debenture stock, stock or other security authorised by or under any Act of Parliament passed or to be passed of any County Council or Municipal Corporation or other Local Authority as defined by section 34 of the Local Loans Act, 1875, but does not include annuities, rent charges, or other securities transferable by delivery or any securities of the Council.

## PART II.

### SEWERAGE.

4. Subject to the provisions of this Act the Council may erect, construct, maintain, alter, extend, enlarge, improve, repair and use in the lines and situations and upon the streets and lands delineated upon the deposited plans and described in the deposited book of reference and according to the levels shown upon the deposited plans the following works (that is to say) :—

Power to  
construct  
works.

Work No. 1.—An intercepting sewer situate wholly in the Borough, commencing in Bryansburn Road .75 chains or thereabouts measured in a

A.D. 1929.  

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westerly direction from the centre of the bridge carrying the said road over the Bangor Branch of the Belfast and County Down Railway, and terminating at work No. 5 hereafter described.

Work No. 2.—An intercepting sewer situate wholly in the Borough, commencing in Bryansburn Road by a junction with the existing sewer in the said road at the intersection of Bryansburn Road and Maxwell Road and terminating at work No. 5 hereafter described.

Work No. 3.—An intercepting sewer situate wholly in the Borough, commencing in Bryansburn Road .75 chains or thereabouts measured in an easterly direction from the centre of the bridge carrying the said road over the Bangor Branch of the Belfast and County Down Railway and terminating by a junction with work No. 2 before described in the aforesaid road .25 chains or thereabouts measured in a westerly direction from the centre of Bryansburn Bridge.

Work No. 4.—An intercepting sewer situate wholly in the Borough, commencing at the western termination of Downshire Road by a junction with the existing outfall sewer, and terminating at work No. 5 hereafter described.

Work No. 5.—A pumping station situate wholly in the Borough, at the northern end of Stricklands Glen 1.25 chains or thereabouts measured in a south-easterly direction from the high-water mark at the northern end of Bryansburn.

Work No. 6.—A rising main situate wholly in the Borough, commencing at work No. 5 before described and terminating by a junction with the existing sewer in Maxwell Road at the junction of Maxwell Road and Downshire Road.

Work No. 7.—A pumping station situate wholly in the Borough, 1 chain or thereabouts measured in a westerly direction from the northern end of Brompton Road.

Work No. 8.—An intercepting sewer situate wholly in the Borough, commencing by a junction with the existing sewer in Brompton Road

A.D. 1929.

1.25 chains or thereabouts measured in a south-easterly direction from the northern end of Brompton Road and terminating at work No. 7 before described.

Work No. 9.—A rising main situate wholly in the Borough, commencing at work No. 7 before described and terminating by a junction with work No. 6 before described at the junction of Downshire Road and Brompton Road.

Work No. 10.—A pumping station situate wholly in the Borough, .75 chains or thereabouts measured in a north-easterly direction from the northern end of Seacourt Lane.

Work No. 11.—A rising main situate wholly in the Borough, commencing at work No. 10 before described and terminating by a junction with the existing sewer at the junction of Maxwell Road, Princetown Road and Raglan Road.

Work No. 12.—A pumping station situate wholly in the Borough, 6.5 chains or thereabouts measured in a northerly direction from the junction of Broadway and Gransha Road and 12.3 chains or thereabouts measured in an easterly direction from the junction of Gransha Road and Bloomfield Road.

Work No. 13.—A rising main situate wholly in the Borough commencing at work No. 12 before described and terminating by a junction with the existing sewer in Gransha Road at a point 6 chains or thereabouts measured in a north-westerly direction from the junction of Broadway and Gransha Road.

Work No. 14.—An intercepting sewer situate wholly in the Borough, commencing by a junction with the existing sewer in the Belfast Road at the junction of Belfast Road and Croft Street and terminating by a junction with work No. 15 hereafter described at the junction of Main Street, Queen's Parade and Bridge Street.

Work No. 15.—An intercepting sewer situate wholly in the Borough, commencing by a junction with the existing sewer at the junction of Kinnegar, Gray's Hill and Queen's Parade and terminating at work No. 16 hereafter described.

A.D. 1929.  

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Work No. 16.—A screen chamber and storage tank and pumping station situate wholly in the Borough at Luke's Point 4.5 chains or thereabouts measured in a north-easterly direction from the northern end of Ward Avenue.

Work No. 17.—An outfall sewer partly within the Borough and partly below high-water mark in Belfast Lough commencing at work No. 16 before described and terminating at a point 7 chains or thereabouts measured in a north-easterly direction from the bathing house at Luke's Point

Work No. 18.—A rising main situate wholly in the Borough, commencing at work No. 16 before described and terminating in Groomsport Road at a point in the aforesaid road 9.1 chains or thereabouts measured in a north-easterly direction from the northern end of Ballymacconnell Road.

Work No. 19.—An intercepting sewer situate partly in the Borough and partly in the townland of Ballymacormick in the Rural District of Newtownards in the County of Down, commencing at the termination of work No. 18 before described, terminating at work No. 20 hereafter described.

Work No. 20.—A screen chamber and storage tank situate in the said townland of Ballymacormick in the Rural District of Newtownards measuring  $2\frac{1}{2}$  chains by 2 chains or thereabouts and having their north-western angle 0.8 chains or thereabouts south-east of the north-western corner of parcel of land marked in statute acres 6.697 on the  $\frac{1}{25000}$  Ordnance Map, Down (Lower Ards) Sheet II.2.

Work No. 21.—An outfall sewer situate partly in the said townland of Ballymacormick in the Rural District of Newtownards and partly below high-water mark in Belfast Lough commencing at work No. 20 before described and terminating in Belfast Lough 10 chains or thereabouts measured in a north-westerly direction from the termination of the said work No. 20.

5. In addition to the foregoing works, the Council may, subject to the provisions of this Act, provide in connection therewith all pipes, engines, machinery, works, buildings, conveniences and fittings auxiliary thereto or necessary for maintaining, repairing, cleansing, managing, working or using the same, but nothing in this Act shall exonerate the Council from any action, indictment or other proceeding for nuisance (in the event of any nuisance being caused or permitted by them).

A.D. 1929.

Subsidiary  
Works.

6. The Council shall in such manner as shall be approved of or ordered by the Ministry of Home Affairs make and maintain at all times in efficient working order in connection with the Works Nos. 16 and 17 and 20 and 21 mentioned in Section 4 of this Act bar screens with not more than three-quarters of one inch space between the bars and such other works in addition thereto or such other works in substitution therefor as may be approved of or ordered by the said Ministry so as to disintegrate efficiently the sewage flowing from the works authorised by this part of this Act into the sea.

Additional  
Works.

7. The Council shall cause the sewage and storm water flowing into the sea from the outfall at Ballymacormick Point (work No. 21) authorised by this Part of this Act to be discharged within a period commencing at five and a half hours after high water and terminating three hours after the next high water or within such period as the Ministry of Home Affairs may on the application of the Council or the Port Sanitary Authority for the Port of Belfast after inquiry by Order allow.

Hours of  
discharge of  
sewage.

Provided that in case of heavy rain or other emergency the sewage and storm water may be discharged at any period of the tide from the said work No. 21 into the sea.

8.—(1) In the construction of the works authorised by this part of this Act, the Council may deviate to any extent not exceeding the limits of deviation shewn on the deposited plans, and where on any road no such limits are shewn, the boundaries of such road shall be deemed to be such limits, and the Council may also deviate from the levels shewn on the deposited plans to any extent not exceeding five feet upwards and ten feet downwards :

Limits of  
deviation.

A.D. 1929.

(2) Provided that no deviation either lateral or vertical shall be made below high-water mark without the consent in writing, of the Ministry of Commerce and the Board of Trade.

As to works  
of electricity  
undertakers.

9. Nothing in this part of this Act shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electricity (Supply) Acts 1882 to 1919 to which the provisions of section 15 of the Electric Lighting Act 1882 apply, except in accordance with and subject to the provisions of that section.

### PART III.

#### NEW STREETS.

Width of  
streets in  
certain cases;

10.—(1) Whenever application shall be made to the Council to approve the plans of a new street in pursuance of any by-law or enactment requiring a plan to be submitted to the Council and such new street in the opinion of the Council will form—

- (a) a main thoroughfare or a continuation of a main thoroughfare, or means of communication between main thoroughfares in the Borough; or
- (b) a continuation of a main approach, or means of communication between main approaches, to the Borough,

the Council may, as a condition of their approval, require that the new street shall be formed of such width as they may determine :

Provided that if such width exceeds by more than twenty feet the maximum width prescribed for a new street by any by-law or enactment with respect to the width of new streets which may be in force in the Borough the Council shall make compensation for any loss or damage which may be sustained by reason of the street being required to be of a width greater than twenty feet in excess of such maximum width :

(2) Nothing in this section shall empower the Council to require any person to defray any greater expense in the execution of any street works than would have been payable if the street had been of no greater width than the width prescribed as aforesaid by any by-law or enactment, and the additional expense incurred in the execution of street works by reason of the street



being of such greater width shall be certified by the surveyor or in case of dispute shall be determined by a court of summary jurisdiction and shall be borne by the Council :

A.D. 1929.

(3) The Council shall determine in any case to which this section applies the proportion of the width of any such new street to be laid out as a carriage way, or as a foot way or foot ways, and any such new street shall be formed accordingly.

11.—(1) No person, except with the consent of the Council, shall in any new street commence to erect any new building or to excavate for the foundation thereof until the whole length of the street shall have been defined by posts or in some other sufficient manner to indicate the approved line and level thereof :

No building allowed until street defined.

(2) Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

#### PART IV.

##### STREET IMPROVEMENTS.

12.—Upon the exercise by the Council of the powers of section twenty-eight of the Public Health (Ireland) Act 1878 in relation to any street, the Council shall have power to require a variation of the relative widths of the carriage way and footway or footways of the street :

Power to vary width of Carriage-way and footway on making up private street.

Provided that no greater charge shall be imposed on a frontager by reason of any such variation than could have been imposed in respect of a carriage way or footway of the width prescribed for a new street of the same class by any by-law or enactment with respect to the width of new streets which applied to the street when it was laid out, and any sum in excess of that charge shall be borne by the Council.

#### PART V.

##### SANITARY PROVISIONS.

13. Where any person has been convicted of causing a drain to be constructed in contravention of section twenty-seven of the Public Health (Ireland) Act, 1878, the court may, in addition to or in lieu of imposing a

Reconstruction of drains.

A.D. 1929.

penalty under that section, order that the drain shall be laid, relaid, amended or remade by him as the case may require, in accordance with the provisions of the said section, and if he does not comp'y with the order within the time limited by the order for the purpose the Council may cause the drain to be laid, relaid, amended, or remade, as the case may require, and may recover in a summary manner as a civil debt from such person the expenses incurred by them in so doing.

Ventilation  
of soil pipes.

**14.** Where it appears to the Council on the report of the surveyor or the sanitary inspector that the soil pipe in connection with a watercloset of a house is not properly ventilated, the watercloset shall not be deemed to be a sufficient watercloset for the purposes of section forty-five of the Public Health (Ireland) Act, 1878.

Power of  
Council to  
lay drains in  
private  
streets.

**15** The Council may, if they think fit, by agreement with and at the expense of any person owning or occupying premises abutting on any street, the expenses of the maintenance of which are not leviable wholly off the Borough lay down, take up or relay, or renew in, across or along the street, such drain as may be requisite or proper for connecting the premises with any sewer which has been laid in the street doing as little damage as may be and making compensation for any damage done by them.

Execution  
by Council  
of drainage  
works.

**16.**—(1) Where notice is given to the Council under section twenty-three of the Public Health (Ireland) Act 1878 by an owner or occupier of premises of his intention to cause his drains to empty into the sewers of the Council the Council shall be entitled if they think fit, in lieu of appointing under that section a person to superintend the making of the communication between the drain and the sewer, themselves to make the communication :

(2) Before any work is executed by the Council under this section, the cost or the estimated cost of making the communication between the drain and the sewer, shall be paid to the Council, or security for the payment thereof shall be given to the satisfaction of the Council :

(3) If any payment made to the Council under the preceding sub-section of this section exceeds the total expense incurred by the Council in the execution of the work, the excess shall be repaid by the Council.

(4) The Council may recover summarily as a civil debt the total expenses incurred by them in the execution of the work, in so far as such expense may not be covered by any payment made to the Council under the foregoing provisions of this section :

**A.D. 1929.**

(5) The Council may by agreement with the owner or occupier of any premises make, alter or enlarge any drain or sewer or effect any connection between a drain and sewer which the owner or occupier is required or desires to make, alter, enlarge or effect :

(6) Section eighteen of the Public Health Acts Amendment Act, 1890, shall cease to be in force within the Borough.

**17.—**(1) It shall not be lawful for any person, except in case of emergency, to reconstruct or alter the course of any drain which communicates with a sewer or with a cesspool or any other receptacle for drainage without giving to the Council at least twenty-four hours' previous notice in writing of his intention so to do.

Notice of  
intention to  
reconstruct  
or alter  
drains.

(2) Where any such works are executed without notice in a case of emergency it shall not be lawful for any person to cover over the drain without giving to the Council at least twenty-four hours' previous notice in writing of his intention so to do.

(3) Free access to the drain or the work of reconstruction or alteration shall be afforded to the surveyor or sanitary inspector or any officer of the Council authorised in writing by the Council for the purpose of inspection.

(4) Any person who contravenes or fails to comply with the requirements of this section shall for each offence be liable to a penalty not exceeding five pounds.

(5) Nothing in this section shall extend to any drain constructed by or belonging to, or which may hereafter be constructed by or belong to, a railway company and situate under, across or along their railway.

(6) Nothing in this section shall extend to any drain which is vested in the owners, trustees or conservators acting under powers conferred by Parliament, of any dock or harbour.

**18.** Where any person intends to substitute a new drain to communicate with a sewer of the Council in lieu of an existing drain so communicating he shall, on com-

Removal of  
old drains.

A.D. 1929.

pletion of the new drain, take away and remove the existing drain to the satisfaction of the Council.

Provision in  
lieu of  
Section 19 of  
Public  
Health Acts  
Amendment  
Act, 1890.

**19.**—(1) Where two or more houses or premises are connected with a single private drain, which conveys their drainage into a public sewer or into a cesspool or other receptacle for drainage, the Council shall have all the powers conferred by section 51 of the Public Health (Ireland) Act 1878, and the Council may recover any expenses incurred by them in executing any works under the powers conferred on them by that section from the owners of the houses in such proportions as shall be settled by the surveyor, or (in case of dispute) by arbitration under the Public Health (Ireland) Act 1878, or by a court of summary jurisdiction, and such expenses shall be recoverable summarily as a civil debt, or the Council may declare them to be private improvement expenses and may recover them accordingly :

(2) Section 19 of the Public Health Acts Amendment Act, 1890, shall cease to be in force within the Borough :

(3) For the purposes of this section the expression “ drain ” includes a drain used for the drainage of more than one building whether owned or occupied by the same person or not.

Power to  
lay gas and  
water pipes  
in private  
streets.

**20.**—(1) The Council may, on the application of the owner or occupier of any premises within their limits of supply abutting on any street laid out, but not dedicated to public use, supply those premises with gas or water, as the case may be, and lay down maintain and repair pipes in such street and for the purposes of this section the Gasworks Clauses Act, 1847, and the Waterworks Clauses Act, 1847, shall apply as if section seven of the former Act and section twenty-nine of the latter Act had been excepted from incorporation with the Acts relating to the Council :

(2) The powers conferred by this section shall not extend to any street which is repairable by the owners, trustees or conservators acting under powers conferred by Parliament of any railway, canal, inland navigation, dock or harbour, and used for the purposes of the railway, canal, inland navigation, dock or harbour unless the consent of such persons is obtained by the Council, but such consent shall not be unreasonably withheld, and upon an

application made to the Ministry of Home Affairs by the Council or by the owners trustees or conservators of the undertaking, the Ministry may, if they think fit, determine whether a consent has unreasonably been withheld to the exercise by the Council of their powers under this section.

A.D. 1929.

21. If in the opinion of the Council any waste of water or injury or risk of injury to person or property is caused or likely to be caused by reason of any injury to or defect in any communication pipe, it shall be lawful for the Council to execute such repairs to the communication pipe as they may think necessary or expedient in the circumstances of the case without being requested so to do, and, if any injury to or defect in the communication pipe shall have been found the expenses incurred by the Council for the purpose of ascertaining the cause of injury or defect and executing the repairs (including the expenses of breaking up, filling in, reinstating and making good any road, pavement or soil for those purposes) shall be recoverable by the Council from the owner of the premises supplied, or, in cases where the communication pipe is repairable by the occupier of such premises, from the occupier in a summary manner before a Court of summary jurisdiction :

Waste of  
water.

Provided that, except in case of emergency, the Council shall not under the powers of this section enter into any house or private premises unless they shall have given to the owner and occupier of such house or premises not less than twenty-four hours' previous notice of their intention so to enter.

22.—(1) Sub-section (1) of section nine of the Housing of the Working Classes Act, 1885 (which relates to tents vans sheds and similar structures used for human habitation) shall extend to any tent, van, shed or similar structure which is used for human habitation in such a way as to be a nuisance or injurious to health, or to cause a nuisance or give rise to conditions injurious to health :

Nuisance  
caused by  
occupation  
of tents,  
vans, &c.

(2) The powers of the court under section one hundred and twelve of the Public Health (Ireland) Act, 1878, to make orders dealing with nuisances shall, in the case of a nuisance caused by or in connection with a tent, van, shed or similar structure used for human habitation include power to prohibit the use of the structure for human habitation at such place or within such areas as may be specified in the order :

A.D. 1929.

(3) On any proceedings for the recovery of a penalty for the contravention of by-laws made under sub-section (2) of section nine of the Housing of the Working Classes Act, 1885, the court in addition to or instead of inflicting a penalty, may make an order prohibiting the use for human habitation of the tent, van, shed or other structure, in connection with which the contravention occurred at such places or within such area as may be specified in the order.

Power to  
enter  
premises.

**23.** The provisions of section 118 (Power of entry of sanitary authority) and section 119 (Penalty for disobedience of Order) of the Public Health (Ireland) Act, 1878, shall extend and apply to the purposes of this Part of this Act, as if these purposes had been mentioned in the said section 118.

## PART VI.

### WATERCOURSES, STREAMS, &C.

Power to  
require  
covering in  
of water-  
courses and  
ditches.

**24.**—(1) If any watercourse or ditch, situated upon land laid out for building or on which any land laid out for building abuts, requires, in the opinion of the Council, to be wholly or partially filled up or covered over, the Council may, by notice in writing, require the owner of the land, before any building operations are begun or proceeded with, to execute such works as may in their opinion be necessary for effecting the objects aforesaid or for substituting for the watercourse or ditch, a pipe drain or culvert with all necessary gullies, pipes and means of conveying surface water through the same :

(2) Any person who fails to comply with a requirement of the Council under this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings :

(3) Nothing in this section shall authorise the Council to require the execution of works upon the land of any person, other than the owner of the land laid out for building, without the consent of that person, or prejudicially to affect the rights of any person not being the owner of the land so laid out.

Streams not  
to be cul-  
verted or  
covered over  
except in  
accordance  
with plans.

**25.**—(1) It shall not be lawful within the Borough to culvert or cover over any stream or watercourse except in accordance with plans and sections to be submitted to and approved by the Council, such approval

not to be unreasonably withheld, and if the Council, within six weeks after such plans and sections have been submitted to them, shall have failed to notify their determination in writing to the person who submitted the same, the Council shall be deemed to have approved of the plans and sections :

A.D. 1929.

(2) No requirement of the Council in relation to plans and sections submitted under this section shall operate to compel any owner to receive upon his land, or to make provision for the passage of, a greater quantity of water than he would have been obliged to receive or to permit to pass but for this section :

(3) If with the consent of the owner, the Council shall require the owner to make provision for the passage of a larger quantity of water than he is obliged to permit to pass at the time of the commencement of any work under this section, any additional cost occasioned by such requirement shall be borne by the Council :

(4) If any difference shall arise between the Council and an owner as to the expediency or necessity of the works required by the Council to be executed under this section, such difference may be determined by a court of summary jurisdiction on the application of either party :

(5) Any person who acts in contravention of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

**26.—**(1) Any part of a watercourse which is situate within the Borough and is so choked or silted up as to obstruct or impede the proper flow of water along the same and thereby to cause, or render probable, an overflow of the watercourse on to land and property adjacent to the watercourse, or to hinder the usual effectual drainage of water through the same shall be a nuisance within the meaning of section one hundred and seven of the Public Health (Ireland) Act, 1878, and all the provisions of that Act relating to nuisances shall apply to every such watercourse, notwithstanding that the same may not be injurious to health :

Water-course choked up to be a nuisance under Public Health (Ireland) Act, 1878.

Provided that nothing in this section shall be deemed to impose any liability on any person other than the

A.D. 1929.

person by whose act or default the nuisance arises or continues :

(2) This section shall not extend to part of a water-course which is ordinarily navigated by vessels employed in the carriage of goods by water.

Power to  
Council  
to defray  
cost of or  
execute  
works.

**27.**—The Council may, if they think fit, contribute the whole or a portion of the expense of the execution of works for the purposes mentioned in this part of this Act, or may, by agreement with owners or occupiers, themselves execute any such works.

## PART VII. ELECTRICITY.

As to offices  
and show-  
rooms.

**28.** The Council may in connection with and for the purposes of the electricity undertaking fit up show rooms and offices and exhibit specimen installations and give demonstrations of the uses to which electrical energy can be put and may appoint and pay persons for the purposes aforesaid.

Discount on  
electrical  
charges.

**29.** The Council may if they think fit make an allowance by way of discount not exceeding the rate of five per centum on the amount due in respect of any charges for electrical energy supplied by them from every person who pays the same within such time after demand thereof as the Council think fit to prescribe in that behalf and if and so soon as the Council decide to allow any such discount notice to that effect shall be contained in every demand notice in respect of such charges :

Provided that all discounts shall be of equal amount in like circumstances to all consumers.

Notice to  
discontinue  
supply of  
electricity.

**30.**—(1) A notice to the Council from a consumer for the discontinuance of a supply of electricity shall not be of any effect unless it be in writing signed by or on behalf of the consumer and left with or sent by post to the Council or be given by the consumer personally at the office of the Council.

(2) Notice of the effect of this section shall be endorsed upon every demand note for charges for electricity.



**31.**—The Council may upon the application of the owner or occupier of any premises in the electricity limits abutting on or in process of erection in any street laid out or made and whether dedicated to public use or not supply such premises with electricity and may lay down take up or alter relay or renew in across or along such street such electric lines and apparatus as may be requisite or proper for furnishing such supply and the provisions of the Electricity (Supply) Acts 1882 to 1919 and of the Schedule to the Electric Lighting (Clauses) Act 1899 so far as they are applicable for the purposes of this section shall extend and apply to and for the purposes hereof and to any works constructed or executed by the Council under the powers of this section.

A.D. 1929.

Power to lay electric lines, &c., in private streets.

(2) Provided that nothing in this section contained shall apply to any existing street belonging to and forming the approach to any station or depot of a railway company except with consent of such company but such consent shall not be unreasonably withheld nor shall the Council in carrying out the works authorised by this section unreasonably obstruct or interfere with the convenient access to any such street.

**32.**—(1) In the event of a meter of a construction and pattern approved by the Board of Trade or the Electricity Commissioners for Northern Ireland, and used by any consumer of electricity being proved to register erroneously such erroneous registration shall be deemed to have first arisen during the then current quarter :

Period of error in defective meters.

(2) The amount of allowance to be paid to or to the surcharge to be made upon the consumer by the Council shall be paid by or to the Council to or by the consumer as the case may be and shall be recoverable in the like manner as charges for electricity are recoverable by the Council.

**33.**—(1) Any person who shall hinder an officer appointed by the Council from entering any premises in pursuance of section 24 (Power to enter lands or premises for ascertaining quantities of electricity consumed or to remove fittings) of the Electric Lighting Act 1882 or for exercising the powers contained in that section shall be liable to a penalty not exceeding forty shillings and such penalty shall be recoverable before a court of summary jurisdiction :

Entry upon premises.  
Penalty for obstruction.

A.D. 1929.

(2) Where any premises which the Council are entitled to enter in pursuance of the said section 24 are unoccupied the Council may, after giving not less than forty-eight hours' notice to the owner thereof, or if he is unknown to the Council and cannot be ascertained after diligent inquiry after affixing such notice upon a conspicuous part of the premises, forcibly enter the same doing no unnecessary damage.

Power to  
recover  
charge for  
re-connec-  
tion.

**34.** Any expenses reasonably incurred by the Council in reconnecting any electric line or other work through which electricity may be supplied which may have been lawfully cut off or disconnected by reason of any default of the consumer may be recovered by the Council in like manner as expenses lawfully incurred by them in such cutting off or disconnecting.

Provisions as  
to supply of  
electricity by  
agreement.

**35.—**(1) If any consumer of electricity supplied by the Council under the terms of any agreement uses the electricity supplied to him by the Council in any manner contrary to the terms of such agreement the Council may if they think fit discontinue to supply electricity to such consumer until they are satisfied that any electricity so supplied will be consumed in accordance with the terms of such agreement :

Provided that before discontinuing any such supply the Council shall give to the consumer taking the same seven days' notice in writing of their intention so to do and shall in such notice specify the respect in which the electricity is used contrary to the terms of such agreement.

(2) A consumer supplied with electricity by the Council under the terms of any agreement shall be deemed to be a person to whom the Council may be and are required to supply energy within the meaning of section 30 of the Schedule to the Electric Lighting (Clauses) Act 1899 and the provisions of that section shall apply to the supply afforded by the Council under such agreement unless the provisions of that section are expressly excluded from application in any such agreement and if the Council fail to supply energy to such consumer they shall not be liable for any damages occasioned to such consumer by reason of such failure unless the same is caused by or in consequence of the wilful neglect or default of the Council :

Provided that the provisions of this sub-section shall not operate to deprive any consumer of electricity supplied by the Council under the terms of any agreement existing at the commencement of this Act, of any right to which he would be entitled but for the said provisions.

A.D. 1929.

**36.** All moneys from time to time received by the Council in respect of the electricity undertaking (including the interest on any reserve fund in connection with that undertaking when that fund amounts to the prescribed maximum) shall be carried to and shall form part of the district fund and all payments and expenses made and incurred in respect of that undertaking shall be paid out of that fund.

Electricity  
receipts and  
expenses.

## PART VIII.

### RECREATION GROUNDS.

**37.** The Council may acquire by compulsion or agreement the following lands shewn upon the deposited plans and described in the deposited book of reference (that is to say):—

Acquisition  
of land for  
recreation  
ground.

ALL that piece or parcel of land situate on the north side of the main road from the Borough to Belfast in the townland of Bangor Bog situate partly in the Barony of Lower Ards and partly in the Barony of Castlereagh in the County of Down and known as the “Bangor Bog” containing twenty-one acres one rood and twenty-six perches or thereabouts:

And the Council may lay out improve maintain and manage the said lands as recreation grounds and may exercise with reference to the said lands all the powers conferred upon the Council by the Open Spaces Act 1906, the Local Government (Ireland) Act 1898 and the Public Health Acts Amendment Act 1907 with respect to recreation grounds and by the Public Parks (Ireland) Act 1869 with respect to public parks.

**38.** For the purpose of ascertaining who are the owners or reputed owners, lessees or reputed lessees, or occupiers, of the land taken compulsorily under this Part of this Act the Council shall, within one month after the passing of this Act, publish a notice once in the Belfast Gazette, and once in each of three successive weeks in

Notice to  
owners, &c.,  
in respect of  
claims.

A.D. 1929.  
—

some one and the same newspaper circulating in the Borough requiring all persons claiming as owners or reputed owners, lessees or reputed lessees, or occupiers, to deliver to the Council on or before a day to be named in such notice (and which day shall not be earlier than four months from the date of the last insertion of the last of such newspaper notice) a short statement in writing of the nature of such claim, and such notice shall give full particulars of the provisions of this Act relating to the compulsory acquisition of such lands in order to give full information to all persons interested.

Vesting of  
lands.

**39.** The lands proposed to be taken compulsorily under this Part of this Act shall be deemed to have been transferred to and be vested in the Mayor, Aldermen and Burgesses of the Borough as from the date of the passing of this Act without the necessity of any other conveyance or assignment and free from any provisions in any lease or other instrument prohibiting or restricting the transfer or assignment thereof and shall subject to the provisions of this Act be held and maintained used and enjoyed by the Borough freed and discharged from all estate right title or interest of any person whomsoever.

Provided always that any person interested in the said lands or any part thereof as owner or reputed owner, lessee or reputed lessee or occupier and who delivers to the Council a Statement of the nature of his claim as provided in Section 38 hereof shall have the same right (if any) to compensation as if the lands were taken under the provisions of the Acts mentioned in Section 42 hereof.

Carnalea  
Golf Links.

**40.**—(1) For the purpose of the application of subsection (1) (b) of section seventy-six of the Public Health Acts Amendment Act 1907, to the pleasure ground known as the “Carnalea Golf Course” belonging to the Borough the Council shall have power from time to time to exclude from the whole or such portion of the said pleasure ground as may be described in notice boards affixed or set up in conspicuous positions in the said pleasure ground all persons other than those participating in the playing of golf in the said pleasure ground and the said section shall be deemed to be amended accordingly :

(2) In addition to any other by-laws relating to pleasure grounds which the Council may make the Council

may make by-laws to prevent obstruction in or interference with or annoyance to any person playing golf on the said pleasure ground and for the safety of the public and the preservation of the turf in the said pleasure ground.

(3) Section 1 of the Health Resorts and Watering-places (Ireland) Act 1909 shall be deemed to include the advertising of sports or games in any pleasure ground belonging to the Council.

A.D. 1929.

## PART IX.

### LANDS.

**41.** Subject to the provisions of this Act the Council may for the purposes of this Act enter upon take and use all or any of the lands mentioned and delineated on the deposited plans and described in the book of reference.

Council may  
take lands.

**42.**—(1) The Lands Clauses Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act.

Acquisition  
of lands  
otherwise  
than by  
agreement.

(2) For the purpose of taking lands compulsorily under this Act and the Acts incorporated therewith and of determining the amount of compensation payable by the Council for the same the provisions of the Lands Clauses Acts as defined by the Public Health (Ireland) Act 1878 with respect to the purchase and taking of lands otherwise than by agreement shall be deemed to be amended by the provisions contained in the Second Schedule of the Housing of the Working Classes Act 1890 and the Acquisition of Land (Assessment of Compensation) Act 1919, and the said Schedule to the said Act of 1890 (except paragraphs (4) (5) (29) and (31) thereof) shall be deemed to be incorporated with and to form part of this Act and in construing the said Act of 1890 for the purposes of this Act "the local authority" shall mean the Council and "the confirming Act" shall mean this Act and "the confirming authority" shall mean the Ministry of Home Affairs and the "Belfast Gazette" shall be substituted for the "Dublin Gazette."

**43.** In the event of any difference arising between the Council and the owner lessee or occupier of any lands taken under the compulsory powers of this Act the arbitrator appointed in pursuance of the last preceding section under the provisions contained in the second

Arbitrator  
may award  
accommoda-  
tion works.

A.D. 1929.

Schedule of the Housing of the Working Classes Act 1890 and the Acquisition of Land (Assessment of Compensation) Act 1919 may inquire and determine what works shall be made and maintained by the Council for the accommodation of such lands or may award a sum or sums of money to be paid to such owner lessee or occupier instead of requiring the Council to construct or maintain such accommodation works.

Provision for  
securing  
completion  
of accom-  
modation  
works.

**44.** If the Council shall for fourteen days after the time appointed by the arbitrator for the beginning of any such accommodation works fail to begin such works or having begun such works fail diligently to execute the same in a sufficient manner the person aggrieved by such failure may execute such works or repairs and the reasonable expenses thereof shall on demand be repaid by the Council and if there be any dispute about the amount or nature of such expenses the same shall be settled by the arbitrator.

Errors and  
omissions in  
plans, &c.,  
may be  
corrected by  
justices.

**45.** If any omission mis-statement or erroneous description shall have been made of any lands described in the deposited plans or deposited book of reference relating to any of the purposes of this Act it shall be lawful for the Council after giving ten days' notice to the owners lessees and occupiers of the lands affected by such proposed correction to apply to two justices of the peace for the correction thereof and if it shall appear to such justices that such omission mis-statement or erroneous description arose from mistake they shall certify the same accordingly and they shall in such certificate state the particulars of any such omission and in what respect any such manner shall have been mis-stated or erroneously described and such certificate shall be deposited with the Clerk of the Peace of the County of Down and a duplicate thereof shall also be deposited with the Clerk of the Council of the district in which the lands thereby affected are situate and such certificate and duplicate respectively shall be kept by such Clerk of the Peace and Clerk of the District Council respectively along with the other documents to which it relates and thereupon such plans or book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Council to take the lands and execute the works in accordance with such

certificate. A copy or extract from such certificate purporting to be under the hand of the Clerk of the Peace for the County of Down or Clerk of said District Council shall be sufficient evidence of such correction.

A.D. 1929.

**46.** Persons empowered by the Lands Clauses Acts to sell or convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Council any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have any interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rent-charges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Persons under disability may grant easements, &c.

**47.** The powers of the Council for the compulsory purchase of lands under this Act shall cease after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands.

**48.** Section 127 of the Lands Clauses Consolidation Act 1845 shall not apply to any lands purchased by the Council under the powers of this Act but the Council may with the consent of the Ministry of Home Affairs sell lease or dispose of or may with the like consent appropriate to any public purpose any lands acquired by them under the powers of this Act and not for the time being required for the purposes thereof.

Power to hold or sell lands.

**49.** Notwithstanding anything contained in this Act or shewn upon the deposited plans and sections the following provisions for the protection of the Belfast and County Down Railway Company (in this section called "the Company") shall, unless otherwise agreed between the Council and the Company apply and have effect (that is to say)—

For protection of Belfast and County Down Railway Company.

(1) The Council shall not enter upon, take, use, purchase or acquire, any lands or property of the Company, but the Council may purchase and take and the Company shall sell and grant accordingly an easement or right of using so much of the lands of the Company as may be necessary for the construction, maintenance and use of work No. 1 by this Act authorised.

A.D. 1929.

(2) All works of construction and maintenance, renewal or alteration executed under the powers of this Act, which in any way affect the railways, works, or property of the Company (in this section referred to as "the said works") shall, except in cases of emergency, be executed under the superintendence (if given) and to the satisfaction of the Engineer of the Company according to plans, sections and specifications previously submitted to and approved by him.

Provided that if the same shall not be disapproved within twenty-one days after they shall have been submitted to him he shall be deemed to have approved of same.

(3) If within one month after the receipt of such plans, sections and specifications, the Company give to the Council notice that they desire themselves to execute any part of the said works the Company may themselves execute the same in accordance with the said plans, sections and specifications as approved in accordance with this section and may recover the cost of so doing from the Council.

(4) The Council shall on demand repay to the Company the reasonable expense of the employment by the company during the execution of the said works of a sufficient number of inspectors and watchmen to be appointed by the Company for watching their railway with reference thereto, and for preventing as far as may be any interference, obstruction, danger, or accident from the operations, acts, or defaults of the Council or their Contractors or of any person in the employ of either of them.

(5) Subject to the provisions of Sub-section (3) of this section the said works shall be executed and maintained by and in all things at the expense of the Council and in such manner as not to cause any injury or damage to the railway, works, or property of the Company, or any interruption to the traffic on such railway.

(6) If by reason of the execution or failure of any of the said works, or owing to any operations, acts or defaults of the Council or their Contractors or of any person in the employ of either of them, the railway, works, or property of the Company shall be damaged, or any person or persons using the same shall be injured, or any interruption shall be caused to the traffic on such



railway, the Council shall make full compensation to the Company in respect of such damage, injury or interruption, and shall effectually indemnify and hold harmless the Company from all claims and demands upon or against them in respect thereof.

A D. 1929.

(7) If by reason of the execution of any of the said works it shall be necessary to add to, or alter any signals, telegraphs, or electrical lines of the Company, or any works in connection therewith the Company may so add to or alter the same and the cost of such addition or alteration and the additional cost of the maintenance thereof shall be repaid to the Company by the Council.

(8) The Council shall at their own cost at all times maintain the said works in good repair and condition to the satisfaction of the Engineer of the Company and if and whenever the Council fail to do so the Company may make and do, in and upon as well the lands of the Council as their own lands all such works repairs and things as they may reasonably think necessary in that behalf and the expense thereof shall be repaid to the Company by the Council.

(9) Any difference which may arise between the Council and the Company or their respective Engineers under this section shall be referred to and determined by an Arbitrator to be appointed (failing agreement) by the President of the Institution of Civil Engineers on the application of either party.

**50.** The Council may with the consent of the Ministry of Home Affairs and subject to such conditions as that Ministry may prescribe appropriate and use for any of the purposes of this Act any lands for the time being vested in them which are not wanted for the purpose for which such lands were originally acquired but nothing in this section shall authorise the Council to create or permit the creation or continuance of any nuisance on any such lands.

Power to appropriate lands for purposes of Act.

**51.—**(1) The Council shall not under the powers of this Act purchase or acquire in any urban district any house or houses which on the fifteenth day of December last were occupied either wholly or partially by thirty or more persons belonging to the working class as tenants or lodgers or except with the consent of the Ministry of

Restriction on taking houses of working class.

A.D. 1929.

Home Affairs any house or houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied :

(2) If the Council acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Ministry of Home Affairs by action in the High Court of Justice in Northern Ireland and shall be carried to and form part of the Consolidated Fund of Northern Ireland. Provided that the court may if it think fit reduce such penalty :

(3) For the purposes of this section the expression "house" means any house or part of a house occupied as a separate dwelling and the expression "working class" means mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income in any case does not exceed an average of thirty shilling a week and the families of any of such persons who may be residing with them.

## PART X.

### FINANCE.

Power to  
borrow.

52. The Council may independently of any moneys they may have already borrowed, or which they may be authorised to borrow under the provisions of any other Act, borrow on interest on the security of the district fund or district rate, and for the purposes following, any sums not exceeding the following sums (that is to say) :—

- (1) For the erection and construction of the sewerage construction and sewage disposal works delineated upon the deposited plans, and other works connected therewith and by this Act authorised the sum of one hundred thousand pounds :
- (2) For paying the taxed costs charges and expenses of this Act as hereinafter provided the sum requisite for that purpose :

- (3) And with the approval of the Ministry of Home Affairs such further moneys as the Council may require for the purposes of this Act : A.D. 1929.
- (4) And in calculating the sum the Council may borrow under any other enactment, any sums they may borrow in this section mentioned shall not be reckoned, and the powers of the Council as to the borrowing and re-borrowing for the said purposes shall not be restricted by any of the provisions of the Public Health (Ireland) Act 1878.

53. The Council shall out of the district fund and district rate, and notwithstanding any limits placed by any Act upon the amount of such rate which limits are hereby removed for the purposes of this section, pay off all moneys borrowed by them under this Act within the respective periods (in this Act referred to as “the prescribed periods”) following (that is to say):—

(a) As to moneys borrowed for the purpose (1) mentioned in the section of this Act the marginal note whereof is “Power to borrow” within fifty years from the date or dates of borrowing the same.

(b) As to moneys borrowed for the purpose (2) mentioned in the said section within five years from the passing of this Act.

(c) As to moneys borrowed under the said section with the approval of the Ministry of Home Affairs within such period from the date or dates of borrowing the same as may be sanctioned by the said Ministry.

54.—(1) The following sections of the Act of 1905 (that is to say):—

Section 104 (Mode of payment off of money borrowed)

Section 105 (As to sinking fund)

Section 106 (Power to re-borrow)

Section 107 (Provisions of Public Health Act as to mortgages to apply)

Section 108 (Priority of existing mortgages)

Section 109 (Council not to regard trusts)

Section 110 (Annual return to Local Government Board [now Ministry of Home Affairs])

Section 111 (Protection of lender from inquiry)

Section 112 (Application of money borrowed)

Period for  
repayment  
of borrowed  
moneys.

Application  
of sections of  
Act of 1905.

A D. 1929.

shall extend and apply mutatis mutandis to and in relation to the borrowing of moneys by the Council on mortgage under the powers in this Act, and to the repayment and application of moneys so borrowed, and otherwise in respect of such mortgages as if those sections had been re-enacted in this Act with reference thereto :

Provided that in the application of section 105 (as to sinking fund) of the Act of 1905 to this Act the said section shall be read, construed and have effect as if the words "at a rate of three pounds ten shillings per centum per annum or such other rate as the Ministry of Home Affairs may from time to time approve" were substituted for the words "at the rate of three pounds per centum" in said section.

(2) For the purposes of the above mentioned sections of the Act of 1905 as applied by this section the period prescribed for repayment of borrowed moneys by the section of this Act the marginal note whereof is "Period for repayment of borrowed moneys" shall be deemed to be the prescribed period referred to in those sections or some of them.

Rate of  
interest on  
certain  
expenses.

55. The rate of interest on expenses recoverable by the Council under section two hundred and twenty-nine or section two hundred and fifty-five of the Public Health (Ireland) Act 1878 (which relate to the recovery of expenses by a sanitary authority from owners of premises) shall as regards expenses incurred after the commencement of this Act, be five per cent. or such other rate of interest as the Ministry of Home Affairs may from time to time by order fix, and different rates of interest may be fixed for different purposes and in different cases.

Amendment  
of 41 & 42  
Vict., c. 52,  
s. 238 and the  
Act of 1905  
as to interest  
on sinking  
fund.

56. Where sums are set apart as a sinking fund for the purposes of paying off money borrowed by the Council in the exercise of their powers under the Public Health (Ireland) Act 1878, or the Act of 1905, the interest received in any year from the investment of the sums so set apart shall, after the commencement of this Act, instead of being accumulated in accordance with the provisions of sub-section (4) of section two hundred and thirty-eight of the Public Health (Ireland) Act 1878, and section 105 of the Act of 1905, form part of the revenue for that year of the fund or rate out of which the sums were set apart, but the contribution to be made to the

sinking fund out of such fund or rate shall in that year be increased by a sum equal to the interest that would have accrued to the sinking fund during that year if interest had been accumulated therein at such rate that the accumulations would with the sums set apart be sufficient to pay off the moneys borrowed within the period sanctioned.

A.D. 1929.

57. The Council may and if required by the Ministry of Home Affairs shall from time to time invest temporarily in a statutory security any sum raised by mortgage under this Act and not for the time being required for the purpose for which it is raised.

Temporary investment of moneys raised but not immediately required.

58. In calculating under sub-section (2) of section 238 of the Public Health (Ireland) Act, 1878, the amount which the Council may borrow, the amount of any sinking fund accumulated for the purpose of providing for the repayment of loans contracted by the Council under the Public Health (Ireland) Act, 1878, and the Act of 1905. except for the purposes (1 to 4) mentioned in section 102 of that Act shall be deducted from the total debt of the Council under those Acts.

As to section 238 of the Public Health (Ireland) Act, 1878.

## PART XI. FOOD

59.—(1) Where it is shown that any animal or article liable to be seized under section 132 of the Public Health (Ireland) Act, 1878, as extended by section 28 of the Public Health Acts Amendment Act, 1890, and found in the possession of any person, was sold to him by another person for the food of man (the proof that the same was not sold for the food of man resting with the party charged), and when so sold was in such a condition as to be liable to be so seized and to be condemned under section 133 of the Public Health (Ireland) Act, 1878, as extended by section 28 of the Public Health Acts Amendment Act, 1890, the person who so sold the same shall be punishable as mentioned in the said section 133, unless he proves that at the time he sold the animal or article he did not know and had no reason to believe that it was in such condition :

Penalty on original vendor of unsound food.

(2) Before any animal or article liable to be condemned under section 133 of the Public Health (Ireland)

A.D. 1929.

Act, 1878, as extended by section 28 of the Public Health Acts Amendment Act 1890 and this section, is dealt with by a justice, the sanitary officer shall inform the person in whose custody or possession the same was at the time when it was inspected by the sanitary officer of the intention of the sanitary officer to have the same dealt with by a justice and any person who may be liable in respect of such animal or article to a prosecution under the aforesaid provisions shall be entitled to attend the proceedings before the justice and to be heard with his witnesses upon the application for the condemnation of any such animal or article.

By-laws as to  
food.

**60.**—(1) The Council may make by-laws for promoting sanitary and cleanly conditions in the manufacture, handling, preparation, storage, sale, distribution, transport or exposure for sale, of any article intended to be sold for the food of man :

(2) Before confirming any by-laws made under this section as regards any business carried on in any factory or workshop to which the Factory and Workshop Acts 1901 to 1920 apply the Ministry of Home Affairs shall consult the Ministry of Labour :

(3) At least one month before applying to the Ministry of Home Affairs for confirmation of any by-laws made under this section applicable to the storage or transport by a railway company of any article intended for the food of man, the Council shall give notice to the company of their intention to make such application and such notice shall be accompanied by a copy of the proposed by-laws.

No place  
used for  
storage, &c.,  
of food to be  
used as a  
sleeping  
place

**61.**—(1) No room, shop or other part of a building within the Borough in which any food is sold or prepared or exposed for sale or deposited for the purposes of sale, or of preparation for sale or with a view to future sale shall be used as a sleeping place.

(2) If any person occupies or lets or knowingly suffers to be occupied any such room, shop or other part of the building as a sleeping place in contravention of this section he shall be liable to a penalty not exceeding twenty shillings and for every subsequent offence five pounds and in either case to a daily penalty not exceeding twenty shillings.

**62.** In the application of the Sale of Food and Drugs Acts within the Borough ice cream shall be deemed to be "food" within the meaning of the said Acts and the said Acts shall be read and construed accordingly and be deemed to be incorporated with this Act.

A.D. 1929.

Application  
of the sale of  
Food and  
Drugs Acts  
to ice cream.

**63.** Where a sample of ice cream is taken in the Borough under the provisions of the Sale of Food and Drugs Acts which contains less than five per centum of milk fat or any fat other than milk fat or any preservative other than preservatives permitted under the (Preservatives, etc., in Food) (*Northern Ireland*) Amended Regulations 1927, or any other Regulations made by the Ministry of Home Affairs amending or extending the same it shall be presumed for the purposes of the said Acts, until the contrary is proved, that the ice cream is not of the nature, substance and quality of the ice cream demanded.

Milk fat or  
preserva-  
tives in ice  
cream.

**64.**—(1) Any premises within the Borough used or proposed to be used as a shop or place for the manufacture for sale or for the sale of ice cream or any similar commodity shall be registered by the owner or occupier thereof with the Council from time to time in such manner as the Ministry of Home Affairs may direct and no premises shall be used for the purpose aforesaid unless the same are registered as aforesaid :

Registration  
and regula-  
tion of ice  
cream shops.

(2) The Council may from time to time make by-laws regulating the construction of premises used or proposed to be used as a shop or place for the sale of ice cream or any similar commodity and the hours during which the same may be kept opened and providing for the inspection of such premises and for securing the cleanliness and the proper lighting and ventilation thereof and the good and orderly conduct of persons resorting thereto and for prescribing precautions to be taken for protecting food therein against infection or contamination.

(3) Any person offending against any of the provisions of this section or of any by-law made thereunder shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings :

The Court may in any case in addition to imposing a penalty by order cancel the registration of the premises in relation to which the offence was committed and as

A.D. 1929.  
—

from the date of any such order the premises referred to therein shall be deemed to be premises not registered under the provisions of this section and the Council may amend their register accordingly.

Regulation  
of manu-  
facture and  
sale of ice  
cream.

**65.**—(1) Any person being a manufacturer or vendor of or merchant or dealer in ice cream or other similar commodity who within the Borough—

- (a) Causes or permits ice-cream or any similar commodity or any materials used in the manufacture thereof to be manufactured sold or stored in any sleeping room or in any room, cellar, yard or place which is in a condition likely to render such commodity injurious to health or in which there is an inlet or opening to a drain ; or
- (b) In the manufacture, sale or storage of any such commodity does any act or thing likely to expose such commodity to infection or contamination or omits to take such proper precaution for the due protection of such commodity from infection or contamination ; or
- (c) Omits on the outbreak of any infectious disease amongst the persons employed or resident in any premises occupied by him to give notice thereof forthwith to the medical officer of health of the borough

shall be liable to a penalty not exceeding five pounds.

(2) In the event of any person so employed or resident suffering from any infectious disease the medical officer of health or any sanitary officer employed by the Council or any other officer who is duly authorised by the Council in that behalf may seize and destroy all ice cream or similar commodity or materials for the manufacture of the same in any of the premises and the council may give compensation for the ice cream commodity or materials so destroyed :

(3) Every dealer in ice cream or other similar commodity vending his wares within the Borough from any cart barrow or other vehicle or stand shall have his name and address legibly painted or inscribed on such cart barrow vehicle or stand and any person who shall fail to comply with this sub-section shall be liable to a penalty not exceeding five pounds :



A.D. 1929.

(4) In the event of any cart barrow or other vehicle or stand within the Borough being in such condition as is likely to render the ice cream or similar commodity or the materials therein or thereon injurious to health or if the ice cream or similar commodity or materials are in such a condition as to be unfit for human consumption the medical officer or any sanitary officer employed by the Council or any other officer who is duly authorised by the Council in that behalf may seize and destroy such ice cream or similar commodity or materials :

(5) (a) The medical officer of health and any sanitary officer employed by the Council and any other officer who is duly authorised by the Council in that behalf or any police officer shall at all reasonable times have the same power of entry into and inspection of the premises of any manufacturer or vendor of or merchant or dealer in ice cream or other similar commodity for the purpose of inspecting such premises and the materials or commodities or articles of the food therein and any cart barrow or other vehicle or stand in or on which the same are offered for sale as an officer of the Council would have under Section 118 (Power of entry of sanitary authority) of the Public Health (Ireland) Act 1878 in the cases therein mentioned and any sanitary officer employed by the Council or any officer authorised as aforesaid may at any time inspect any such cart barrow vehicle or stand in any street or public place :

(b) Any person refusing entry into or inspection of such premises cart barrow vehicle or stand as aforesaid or obstructing such officer as aforesaid in the execution of his duty shall be liable to a penalty not exceeding five pounds :

(6) The Council shall cause public notice to be given of the effect of the provisions of this section by advertisement in two newspapers circulating in the Borough.

## PART XII.

### MISCELLANEOUS.

**66.** In case the works authorised by this Act be not completed within a period of five years after the passing of this Act, all the powers and authorities given by this

If works not completed within time limited, power to cease.

A.D. 1929.

Act shall thenceforth cease and determine, save only as to so much of such work as has been completed within such period.

Notices,  
lectures, &c.,  
on questions  
as to health,  
disease, or  
civics.

**67.**—(1) The Council may arrange for the publication within the Borough of information on questions relating to health, disease or civics, and for the delivery of lectures and the display of pictures in which such questions are dealt with and may defray the whole or a portion of the expenses incurred for any of the purposes of this section ;

(2) The Council may expend a sum not exceeding ten pounds in any year in the award of a prize or prizes for essays or theses upon such questions ;

(3) The Ministry of Home Affairs may, for the purpose of this section, make rules prescribing restrictions or conditions subject to which the powers conferred by this section may be exercised.

List of  
repairable  
streets.

**68.**—(1) The Council shall, within six months after the commencement of this Act, cause to be prepared a list of the streets within their district, the expenses of the maintenance of which are leviable wholly off the Borough :

(2) Any list prepared under this section shall be open to the inspection of any person without payment during the ordinary office hours of the Council.

Consent of  
Council to be  
in writing.

**69.** All consents given by the Council under the provisions of the Act of 1905, or this Act, shall be given in writing and unless otherwise prescribed shall be given under the hand of the clerk.

Powers of  
Act  
cumulative.

**70.** All powers given to the Council under this Act shall be deemed to be in addition to, and not in derogation of, any other powers conferred upon the Council by any Act of Parliament law or custom and such other powers may be exercised in the same manner as if this Act had not been passed. Provided that no person shall incur more than one penalty (other than a daily penalty for a continuing offence) for the commission of the same offence.

Apportion-  
ment of ex-  
penses in  
case of  
joint owners.

**71.** Where under the provisions of any enactments the Council shall construct or do any work for the common benefit of two or more buildings belonging to different

owners, the expenses which, under such enactment, are recoverable by the Council from the owners, shall be paid by the owners of such buildings in such proportions as shall be determined by the surveyor, or in case of dispute by a court of summary jurisdiction.

A.D. 1929.

**72.** Nothing in this Act shall prejudice or affect the powers of any railway company or the owners, trustees or conservators, acting under powers conferred by Parliament of any canal, inland navigation, dock or harbour under any enactment to culvert or cover in any stream or watercourse constructed by a railway company or by any such body or persons, and used for the purposes of the railway, canal, inland navigation, dock or harbour unless the consent of such company or persons is obtained by the Council.

Saving for culverts, &c., of railway companies.

**73.** Where any enactment in this Act provides for an appeal to a determination by a court of summary jurisdiction against a notice, determination, requirement, order or intended order of the Council under this Act :

Appeals to court of summary jurisdiction.

(1) Notice in writing of the appeal and of the grounds thereof shall be given by the appellant to the clerk ;

(2) The court may make such order in the matter as they consider reasonable and may award costs to be recoverable as costs in cases of a civil nature are recovered under section 22 of the Petty Sessions (Ireland) Act, 1851 ;

(3) No proceedings shall be taken by the Council or work executed, until after the determination or abandonment of the appeal ;

(4) Notice of the right of appeal shall be endorsed on the order of the Council and on any notice communicating their determination, requirement or intended order.

**74.**—(1) Subject to the provisions of this Act any work authorised by this Act shall only be constructed so far as the same shall be on, under or over tidal waters or tidal lands below high-water mark of ordinary spring tides in accordance with plans and sections approved by the Ministry of Commerce and the Board of Trade under the hand of the Secretary or Assistant Secretary of the Ministry of Commerce and the hand of one of the Secretaries or Assistant Secretaries of the Board of Trade,

Works below high water mark to be subject to approval of the Ministry of Commerce and Board of Trade.

A D. 1929.

and subject to such restrictions and regulations as the said Ministry and the said Board may prescribe before such work is begun.

(2) Any alteration or extension of any such work shall be subject to the like approval.

(3) If any such work be commenced or completed contrary to the provisions of this section the Ministry of Commerce or the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost of the Council and the amount of such cost shall be a debt due from the Council to the Ministry of Commerce or to the Crown as the case may be, and shall be recoverable either as a debt due to the Crown or by the Ministry of Commerce or the Board of Trade as a civil debt.

Lights on  
works  
during con-  
struction.

**75.**—(1) The Council shall at or near such part of the works by this Act authorised as shall be below high-water mark of ordinary spring tides during the whole time of the construction, alteration or extension of the same exhibit and keep burning every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Ministry of Commerce and the Board of Trade shall from time to time require or approve.

(2) If the Council fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding twenty pounds, and in the case of a continuing offence to an additional penalty not exceeding two pounds for every day on which after conviction thereof they so fail.

Permanent  
Lights on  
works.

**76.**—(1) After the completion of the works by this Act authorised the Council shall take such steps for the prevention of danger to navigation as the Commissioners of Irish Lights shall from time to time direct.

(2) If the Council fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding twenty pounds, and in the case of a continuing offence to an additional penalty not exceeding two pounds for every day on which after conviction thereof they so fail.

**77.** If at any time the Ministry of Commerce or the Board of Trade deems it expedient for the purposes of this Act to order a survey and examination of any work constructed by the Council under the powers of this Act, which shall be on under or over tidal waters or tidal lands below high-water mark or ordinary spring tides or of the site upon which it is proposed to construct any such work the Council shall defray the expense of the survey and examination, and the amount thereof shall be a debt due from the Council to the Ministry of Commerce, or to the Crown, as the case may be, and shall be recoverable either as a debt due to the Crown or by the Ministry of Commerce or the Board of Trade as a civil debt.

A.D. 1929.

Survey of  
works by  
Ministry of  
Commerce  
and Board of  
Trade.

**78.—(1)** In case of injury to or destruction or decay of the works by this Act authorised or any part thereof so far as the same shall be constructed on under or over any tidal waters or tidal lands below high-water mark of ordinary spring tides the Council shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be danger to navigation as shall from time to time be directed by the Commissioners of Irish Lights and shall apply to those Commissioners for directions as to the means to be taken.

Provision  
against  
danger to  
navigation.

**(2)** If the Council fail to comply in any respect with the provisions of this Section, they shall be liable on summary conviction to a penalty not exceeding ten pounds and in the case of a continuing offence to an additional penalty not exceeding one pound for every day during which they omit after conviction thereof so to apply or refuse or neglect to obey any direction given in reference to the means to be taken.

**79.—(1)** Where any work constructed by the Council under the powers of this Act, and situate wholly or partially on, under or over the shore or bed of the sea or of any creek, bay, arm of the sea or navigable river communicating therewith below high-water mark of ordinary spring tides is abandoned or suffered to fall into decay the Ministry of Commerce or the Board of Trade may by notice in writing either require the Council at their own expense to repair and restore such part of such work as is situate below high-water mark of ordinary spring tides or any portion thereof, or require them to abate or remove the same and restore the site thereof to

Abatement  
of work  
abandoned  
or decayed.

A.D. 1929.

its former condition to such an extent and within such limits as the Ministry of Commerce or the Board of Trade may think proper.

(2) If, during the period of thirty days from the date when the Notice is served upon the Council they have failed to comply with such notice the Ministry of Commerce or the Board of Trade may execute the works required to be done by the notice at the expense of the Council, and the amount of such expense shall be a debt due from the Council to the Ministry of Commerce or the Crown, as the case may be, and shall be recoverable either as a debt due to the Crown, or by the Ministry of Commerce or the Board of Trade as a civil debt.

Application  
of Act of  
1905.

**80.** The following sections of the Act of 1905 (that is to say) :—

Section 115 (Expenses of execution of Act)

Section 121 (Compensation how to be determined)

Section 122 (Inquiries by Local Government Board)

Section 123 (In executing work for owner Council not liable for damage)

Section 124 (Persons acting in execution of Act not liable)

Section 125 (Authentication and service of notices)

Section 126 (Evidence of appointment)

Section 127 (Making of by-laws)

Section 128 (Recovery of penalties)

Section 129 (Penalties to be paid to treasurer)

Section 130 (Recovery of demands under fifty pounds)

Section 131 (As to appeal)

Section 132 (Informations by whom to be laid)

Section 133 (Saving for indictments)

Section 134 (Judges, etc., not to be disqualified)

Section 136 (Saving rights of Crown)

shall extend and apply *mutatis mutandis* to this Act as if these sections had been re-enacted in this Act with reference to the matters herein enacted.

Provided that in the application of Section 122 (Inquiries by Local Government Board) to this Act the said Section shall be read, construed and have effect as if the word “five” were substituted for the word “three” in Sub-section (2) of that Section.

**81.** All the costs, charges and expenses preliminary to and of and incidental to the preparing, applying for, obtaining and passing of this Act as taxed by the taxing officer of the Parliament of Northern Ireland or otherwise in relation thereto, shall be paid primarily out of the rates leviable by the Council throughout the district under the rating powers conferred upon them by the Towns Improvement (Ireland) Act 1854, and the Public Health (Ireland) Act 1878 in proportions to be hereafter determined by the Council or out of moneys borrowed under this Act for that purpose and before borrowing such moneys the Council shall by resolution determine the proportions in which the funds on the security of which such moneys are borrowed shall contribute in respect of such loans.

A.D. 1929.  
Costs of Act.

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## CHAPTER v.

An Act to confirm a Provisional Order of the Ministry of Home Affairs relating to the Urban District of Carrickfergus. [11th July, 1929.]

**W**HEREAS the Ministry of Home Affairs has made the Provisional Order set out in the schedule hereto under the provisions of the Public Health (Ireland) Act, 1878 :

41 & 42 Vict.  
c. 52.

And whereas it is requisite that the said Order should be confirmed by Parliament :

Be it therefore enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

1. The Order set out in the schedule hereto shall be and the same is hereby confirmed and all the provisions thereof shall have full validity and force.

Order in  
schedule  
confirmed.

2. This Act may be cited as the Ministry of Home Affairs Provisional Order Confirmation (Carrickfergus Water) Act (Northern Ireland), 1929.

Short title.

A.D. 1929.

## SCHEDULE.

## URBAN DISTRICT OF CARRICKFERGUS.

*Carrickfergus*  
*Water Order.*

*Provisional Order altering and amending the Belfast Water Act, 1874, and the Belfast Water Act, 1879.*

WHEREAS the Council of the Urban District of Carrickfergus (in this Order referred to as "the Council") are the urban sanitary authority for the urban sanitary district of Carrickfergus :

37 & 38 Vict.  
 c. cli.  
 42 & 43 Vict.  
 c. clxxii.

And whereas the Belfast Water Act, 1874, and the Belfast Water Act, 1879, are Local Acts which are, so far as they relate to the supply of water for the use of the inhabitants of Carrickfergus, in force in the said urban sanitary district :

And whereas by section twenty-one of the Belfast Water Act, 1874, it was enacted in effect that if the Belfast Water Commissioners should take any of the waters supplying, or which had theretofore supplied, the cut or millrace leading from the Copeland Water to mills or other works near Carrickfergus and the town of Carrickfergus, they should at all times furnish and deliver or cause to be furnished and delivered at the place specified in the said section, free of charge, for the use of the inhabitants of the said town, a continuous flow of water equal to the average flow at Green Street, during the past two years, and that in the event of any disagreement as to the said average flow, the question should be settled in the manner provided by the Act ; and it was further enacted by the said section that the said Water Commissioners might, by agreement with the Town or Municipal Commissioners of Carrickfergus, substitute for the said supply a metal pipe, for the delivery from the pipe from Lough Mourne, passing the North Road, of the like quantity or any other quantity of water at the North Gate, the said Town or Municipal Commissioners undertaking to pay one-half of the piping from the said pipe from Lough Mourne to the North Gate :

And whereas by section twenty-two of the said Act provision was made whereby at any time after the completion of the works of the said Water Commissioners on the Copeland Water by the said Act authorised, the Town or Municipal Commissioners of Carrickfergus might obtain a supply of water for the town or borough of Carrickfergus from the said Water Commissioners in excess of the quantity fixed in the said section twenty-one of the said Act :

And whereas in pursuance of an Agreement dated the 2nd day of May, 1878, and made between the said Water Commissioners and the Municipal Commissioners of the borough of Carrickfergus, for the purposes of the said sections twenty-one and twenty-two of the Belfast Water Act, 1874 (which Agreement was duly confirmed by



section forty of the Belfast Water Act, 1879, and is set out in the Schedule to that Act) the said Water Commissioners substituted for the said water supply provided for the use of the inhabitants of Carrickfergus, and at the point in the said section twenty-one specified, a metal pipe for the delivery from the pipe from the Lough Mourne and Copeland District of forty thousand gallons of water therefrom per day of twenty-four hours, free of all costs, the said supply being delivered at the North Gate of Carrickfergus :

A.D. 1929.

And whereas all the rights and powers of the Town or Municipal Commissioners of Carrickfergus in relation to the said supply of water are now vested in the Council, and the Belfast Water Commissioners are now known as the Belfast City and District Water Commissioners (in this Order referred to as "the Commissioners") :

And whereas by an Agreement dated the 1st day of December, 1927, and made between the Commissioners of the one part and the Council of the other part, it was agreed, amongst other things, that on the completion of the proposed reservoir and filter works therein mentioned, and on notice in writing of such completion being given by the Council to the Commissioners, the Commissioners should deliver to the Council through a meter at or near the existing measuring gauge at Mile Bush, Carrickfergus, instead of at the North Gate, Carrickfergus, the quantity of water therein mentioned, upon the terms of and subject to, the said Agreement :

And whereas the Council have made application to the Ministry of Home Affairs for a Provisional Order altering and amending sections twenty-one and twenty-two of the Belfast Water Act, 1874, and section forty of the Belfast Water Act, 1879, and the Agreement thereby confirmed (as set forth in the Schedule to the last-mentioned Act) so as to permit of delivery of the supply of water by the Commissioners to the Council at Mile Bush, Carrickfergus, instead of at the North Gate, Carrickfergus :

And whereas it appears to the Ministry of Home Affairs expedient that the said sections twenty-one and twenty-two of the Belfast Water Act, 1874, and section forty of the Belfast Water Act, 1879, and the Agreement set forth in the Schedule to the said last-mentioned Act should be altered and amended in manner hereinafter appearing :

Now therefore the Ministry of Home Affairs, in pursuance of the powers given to it by section two hundred and five and section two hundred and fourteen of the Public Health (Ireland) Act, 1878, and of all other powers enabling the said Ministry in that behalf, hereby orders that from and after the date of the Act of Parliament confirming this Order the following provisions shall have effect, that is to say :—

41 & 42 Vict.  
c. 52.

1. Notwithstanding anything contained in section twenty-one or section twenty-two of the Belfast Water Act, 1874, or in section forty of the Belfast Water Act, 1879, or the Agreement confirmed thereby, it shall be lawful for the Commissioners to deliver to the Council the water supply to which the said sections relate through a

Amendment  
of Acts.

*Ministry of Home Affairs*  
*Provisional Order Confirmation*  
*(Carrickfergus Water) Act*  
*(Northern Ireland), 1929.*

A.D. 1929. meter to be installed in a meter house to be provided by the Council at or near to the existing gauge at Mile Bush, Carrickfergus.

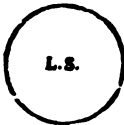
Expenses  
of Order.

2. The costs and expenses of the Council and the Ministry of Home Affairs incurred in respect of the application for preparation making and confirmation of this Order shall be paid by the Council out of any fund or rate applicable by the Council to defray the expenses incurred by them in the execution of the Public Health (Ireland) Acts, 1878 to 1918.

Short title

3. This Order may be cited as the Carrickfergus Water Order, 1929.

Given under the Seal of the Ministry of Home Affairs for Northern Ireland this twenty-eighth day of February, 1929.



D. L. CLARKE,  
Assistant Secretary.



THE  
NORTHERN IRELAND LAW REPORTS.

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The Public General Statutes

PASSED BY THE PARLIAMENT OF  
NORTHERN IRELAND

IN THE NINETEENTH AND TWENTIETH YEARS

OF THE REIGN OF HIS MAJESTY

KING GEORGE THE FIFTH  
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